

ORIGINAL



0000099492

**BEFORE THE ARIZONA POWER PLANT AND TRANSMISSION LINE SITING
COMMITTEE**

IN THE MATTER OF THE APPLICATION OF
SALT RIVER PROJECT AGRICULTURAL
IMPROVEMENT AND POWER DISTRICT, IN
CONFORMANCE WITH THE REQUIREMENTS
OF ARIZONA REVISED STATUTES, SECTIONS
40-360, et seq., FOR A CERTIFICATE OF
ENVIRONMENTAL COMPATIBILITY
AUTHORIZING CONSTRUCTION OF A 230 kV
DOUBLE-CIRCUIT TRANSMISSION LINE
ORIGINATING AT THE PLANNED AND
PERMITTED ABEL SUBSTATION, NEAR JUDD
AND ATTAWAY ROADS IN PINAL COUNTY,
TO THE PLANNED AND PERMITTED RS-17
SUBSTATION, ADJACENT TO THE EXISTING
MOODY SUBSTATION, LOCATED NEAR
PECOS AND RECKER ROADS, IN THE TOWN
OF GILBERT, MARICOPA COUNTY,
ARIZONA, AND INCLUDING A NEW 230/69 kV
SUBSTATION NEAR THE INTERSECTION OF
COMBS AND MERIDIAN ROADS, IN OR
ADJACENT TO THE TOWN OF QUEEN
CREEK, ARIZONA.

Docket No. L-00000B-09-0311-00148

Case No. 148

**NOTICE OF FILING E-MAIL
COMMUNICATION**

RECEIVED

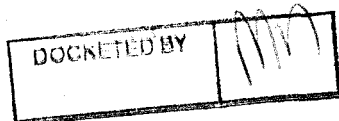
2009 JUN 17 P 12:38

AZ CORP COMMISSION
DOCKET CONTROL

The Chairman of the Arizona Power Plant and Transmission Line Siting Committee is providing notice of filing the attached e-mail communications that have occurred between the Parties to this case and the Chairman, up to this date.

DATED: June 17, 2009

Arizona Corporation Commission
DOCKETED



John Foreman, Chairman
Arizona Power Plant and Transmission
Line Siting Committee
Assistant Attorney General
john.foreman@azag.gov

1 Pursuant to A.A.C. R14-3-204,
2 The Original and 25 copies were
3 filed June 17, 2009 with:

4 Docket Control
5 Arizona Corporation Commission
6 1200 W. Washington St.
7 Phoenix, AZ 85007

8 Copy of the above was mailed
9 this 17th day of June, 2009 to:

10 Janice Alward, Chief Counsel
11 Arizona Corporation Commission
12 1200 West Washington Street
13 Phoenix, AZ 85007
14 Counsel for Legal Division Staff

15 Kenneth C. Sundlof, Jr.
16 Jennings, Strouss & Salmon, PLC
17 The Collier Center, 11th Floor
18 201 East Washington Street
19 Phoenix, AZ 85004-2385
20 Counsel for Applicant, SRP

21 Gary Birnbaum
22 Jim Braselton
23 Mariscal, Weeks, McIntyre & Friedlander, PA
24 2901 North Central Avenue, Suite 200
25 Phoenix, AZ 85012
26 Counsel for the Town of Queen Creek

Craig Marks
Craig A. Marks, PLC
10645 North Tatum Blvd, Suite 200-676
Phoenix, AZ 85028
Counsel for the City of Mesa

Kyle Mieras
90 East Civic Center Drive
Gilbert, AZ 85296
Counsel for the Town of Gilbert

1 Lawrence V. Robertson, Jr.

2 P.O. Box 1448

2 2247 East Frontage Road

3 Tubac, AZ 85646

3 Counsel for Pinal County

4 Christopher Schmaltz

5 Gust Rosenfeld, PLC

5 201 East Washington Street, Suite 800

6 Phoenix, AZ 85004

6 Counsel for Phoenix-Mesa Gateway Airport

7 Francis Slavin

8 Francis J. Slavin, PC

9 2198 East Camelback Road, Suite 285

9 Phoenix, AZ 85016

10 Counsel for Jason Barney

11 Scott Wakefield

12 Ridenour, Hienton, Kelfhoffer & Lewis, PLLC

12 201 North Central Avenue, Suite 3300

13 Phoenix, AZ 85004-1052

13 Counsel for Sandy Beeler

14 Rebecca Porter

15 Gregory Miles

16 Davis Miles, PLLC

16 P.O. Box 15070

17 Mesa, AZ 85211-3070

17 Counsel for V & P Nurseries

18 Marta T. Hetzer

19 Arizona Reporting Service, Inc.

20 2200 North Central Avenue

20 Phoenix, Arizona 85004-1481

21
22
23
24 Jana Williams

From: Tara Williams
To: Kenneth C. Sundlof Jr.
Date: 5/12/2009 1:21 PM
Subject: Re: Meeting with John Foreman

Mr. Sundlof,

The Chairman is in a hearing today. I will give him the message and get back to you as soon as I can.

Thank you,
Tara Williams
Assistant
Consumer Protection & Advocacy Section
Office of the Attorney General
Tel: (602) 542-7759
Fax: (602) 542-4377
tara.williams@azag.gov

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>>> "Sundlof Jr., Kenneth C." <sundlof@jsslaw.com> 5/12/2009 11:16 AM >>>
Tara

I am representing Salt River Project. SRP intends to file its application for the Abel to Moody transmission line during the last week in May.

We understand that Mr. Foreman has requested that applicants schedule a pre-filing procedural meeting with him. We are requesting this meeting.

Our preference would be sometime on Wednesday, May 20, though we are flexible. We will insure that the expected parties have notice and are able to attend.

But, I thought I would start with requesting a few dates from you.

Thanks for your time.

Ken

Kenneth C. Sundlof, Jr.

Attorney at Law

Jennings, Strouss & Salmon, PLC

201 E. Washington Street, 11th Floor

Phoenix, AZ 85004-2385

T: 602.262.5946

F: 602.495.2659

C: 602.618.1907

sundlof@jsslaw.com

www.jsslaw.com

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IRS Circular 230 Disclosure: To comply with requirements imposed by the IRS, we inform you that any tax advice contained herein, including attachments, is not intended or written to be used and cannot be used by a taxpayer to (i) avoid tax penalties or (ii) promote, market or recommend a transaction or matter to another person.

From: "Sundlof Jr., Kenneth C." <sundlof@jsslaw.com>
To: "Tara Williams" <Tara.Williams@azag.gov>
Date: 5/12/2009 2:46 PM
Subject: RE: Additional Information for Meeting

Thanks. We will notify the likely parties and arrange for a court reporter.

Ken

-----Original Message-----

From: Tara Williams [mailto:Tara.Williams@azag.gov]
Sent: Tuesday, May 12, 2009 2:31 PM
To: Sundlof Jr., Kenneth C.
Subject: Additional Information for Meeting

Mr. Sundlof,

I forgot to mention in my previous e-mail that the Chairman requests each Applicant schedule a court reporter for all pre-filing and pre-hearing conferences. So we will need a court reporter for the pre-application meeting next week.

Thank you,
Tara Williams
Assistant
Consumer Protection & Advocacy Section
Office of the Attorney General
Tel: (602) 542-7759
Fax: (602) 542-4377
tara.williams@azag.gov

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>>> Tara Williams 5/12/2009 2:23 PM >>>
Mr. Sundlof,

Chairman Foreman would be available for a conference at 2:00 PM on May 20th. It will be held here at the Attorney General's Office, 1275 W Washington. Please let me know if that time can be confirmed with Commission Staff and any other interested parties.

Thank you,
Tara Williams
Assistant
Consumer Protection & Advocacy Section
Office of the Attorney General

Tel: (602) 542-7759
Fax: (602) 542-4377
tara.williams@azag.gov

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>>> "Sundlof Jr., Kenneth C." <sundlof@jsslaw.com> 5/12/2009 11:16 AM
>>> >>>
Tara

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We understand that Mr. Foreman has requested that applicants schedule a pre-filing procedural meeting with him. We are requesting this meeting.

Our preference would be sometime on Wednesday, May 20, though we are flexible. We will insure that the expected parties have notice and are able to attend.

But, I thought I would start with requesting a few dates from you.

Thanks for your time.

Ken

Kenneth C. Sundlof, Jr.

Attorney at Law

Jennings, Strouss & Salmon, PLC

201 E. Washington Street, 11th Floor

Phoenix, AZ 85004-2385

T: 602.262.5946

F: 602.495.2659

C: 602.618.1907

sundlof@jsslaw.com

www.jsslaw.com

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From: Tara Williams
To: sundlof@jsslaw.com
Date: 5/14/2009 10:01 AM
Subject: Re: FW: SRP's Pre-filing Procedural Conference on May 20, 2009 for SRP's Abel to Moody Transmission Project

Mr. Sundlof,

Thank you for your e-mail. The previous one sent by your office was received by the Chairman, so there was no inconvenience.

>>> "Sundlof Jr., Kenneth C." <sundlof@jsslaw.com> 05/13/09 5:09 PM >>>
Ms. Williams,

In follow-up to my paralegal's voice mail message, we attempted to send the email below to you. However, it was returned as undeliverable. In looking at the addresses, we noticed that we have 3 l's in Williams and it apparently should only have 2 l's. I apologize for any inconvenience.

Thank you.

Ken

From: Sundlof Jr., Kenneth C.
Sent: Wednesday, May 13, 2009 4:29 PM
To: 'chris.bradley@mesaaz.gov'; 'debbie.spinner@mesaaz.gov';
'george.pettit@ci.gilbert.az.us'; 'john.kross@queencreek.org';
'Freeda.bisman@mwmf.com'; 'manny.gonzalez@pinalcountyaz.gov';
'jhogue@land.az.gov'; 'wfix@phxmesagateway.org';
'lkusy@phxmesagateway.org'; 'Jason@jasonbarney.com';
'tubaclawyer@aol.com'; 'sswakefield@rhhklaw.com';
'levi.shill@sheahomes.com'; 'rporter@davismiles.com'
Cc: 'jalward@azcc.gov'; 'ernestjohnson@azcc.gov';
'john.foreman@azag.gov'; 'tara.williams@azag.gov'; 'Brandt Jana K'
Subject: SRP's Pre-filing Procedural Conference on May 20, 2009 for SRP's Abel to Moody Transmission Project

On behalf of the Salt River Project it is our intent to file, in the last week in May, an application for authority to construct SRP's Abel to Moody transmission project, with the Arizona Corporation Commission and the Power Plant and Transmission Line Siting Committee. This project is in the Queen Creek area and will be a 20 mile double circuit transmission line with one new substation. A map of the project study area and the alternative routes is attached.

Each of you has expressed an interest in the project.

The Chairman of the Siting Committee, John Foreman, has established a process for a pre-filing procedural conference. This can be attended by any attorney or person who may wish to participate in the siting case. The purpose of the meeting is generally to discuss dates and the process for the hearings before the Siting Committee.

We are giving you notice that the pre-filing procedural conference will be held in the Office of the Attorney General, 1275 West Washington, Phoenix, Arizona on May 20 at 2:00 p.m.

There is no requirement that any of you send a representative to this meeting, and failure to attend this meeting will not effect any party's right to intervene or otherwise participate in the hearing process.

Please let us know if you plan to attend, so that we can let Chairman Foreman know about the size of the group that he should expect.

Please call me if you have any questions.

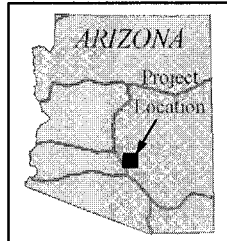
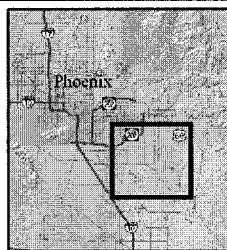
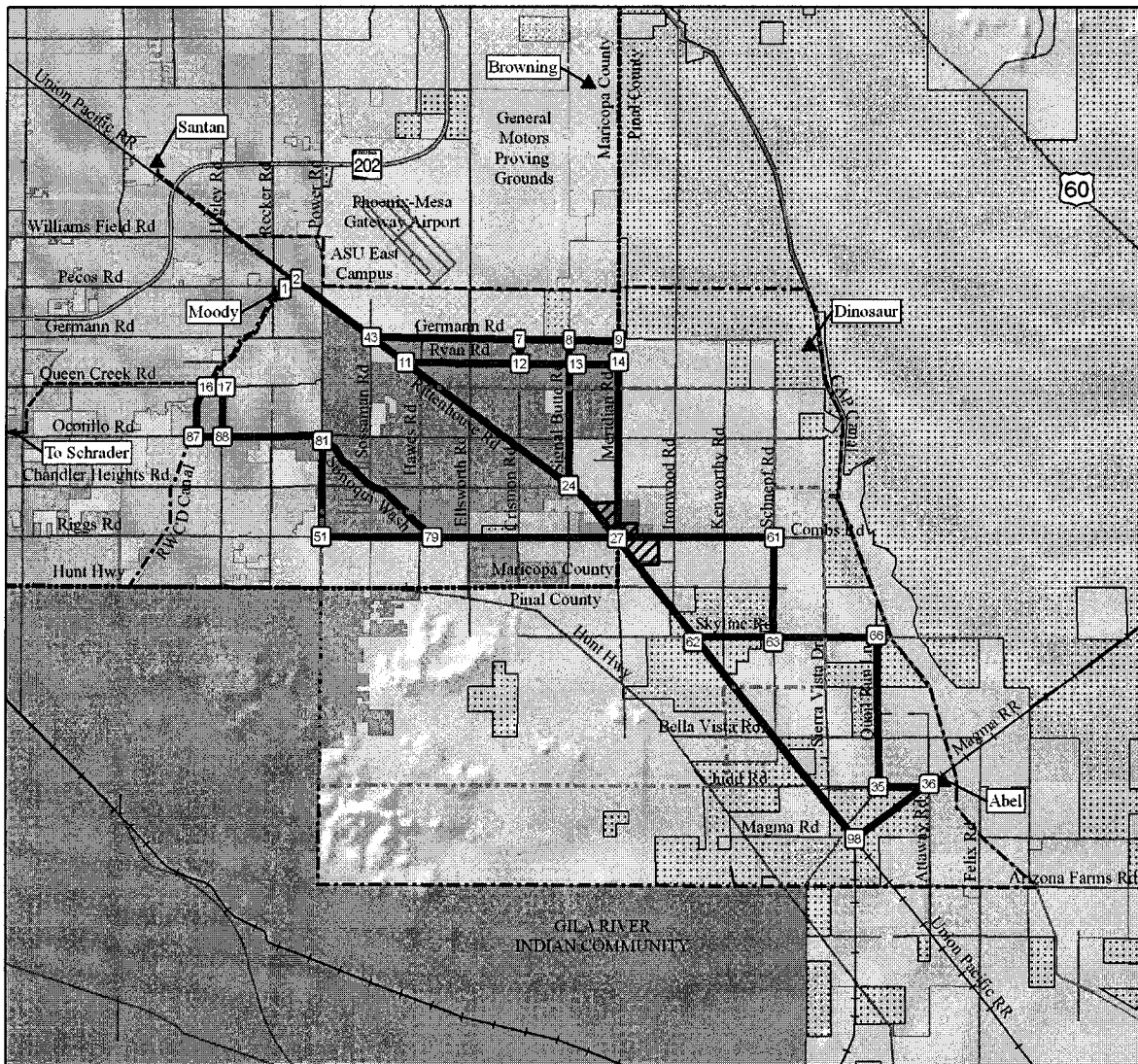
Kenneth Sundlof

Kenneth C. Sundlof, Jr.
Attorney at Law
Jennings, Strouss & Salmon, PLC
201 E. Washington Street, 11th Floor
Phoenix, AZ 85004-2385
T: 602.262.5946
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sundlof@jsslaw.com <mailto:sundlof@jsslaw.com>
www.jsslaw.com <http://www.jsslaw.com/>

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Legend

- Project Study Area
- RS-24 Service Area
- Alternative Alignments
- Preferred Alignment
- Substations
- Nodes
- RS-24 Potential Substation Sites
- Santan-Schrader 230kV Transmission Line
- Town of Gilbert
- City of Mesa
- Town of Queen Creek
- Town of Florence
- City of Chandler
- Unincorporated County
- Gila River Indian Community
- State Trust Land

Project Area Abel-Moody 230kV Transmission Project



0 2 4 Miles



From: "Brandt Jana K" <Jana.Brandt@srpnet.com>
To: "Tara Williams" <Tara.Williams@azag.gov>
Date: 5/19/2009 10:18 AM
Subject: RE: Notice of Hearing Samples

Thanks Tara.

-----Original Message-----

From: Tara Williams [mailto:Tara.Williams@azag.gov]
Sent: Tuesday, May 19, 2009 9:15 AM
To: Brandt Jana K
Subject: Notice of Hearing Samples

Ms. Brandt,

I have attached two notices of hearing that were recently filed which can be used as templates (the map attached was for case #144).

Also, per your request, I have attached the proposed CEC conditions, which the Chairman will be handing out at the meeting.

Please let me know if you need anything else.

Thank you,
Tara Williams
Assistant
Consumer Protection & Advocacy Section
Office of the Attorney General
Tel: (602) 542-7759
Fax: (602) 542-4377
tara.williams@azag.gov

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**BEFORE THE ARIZONA POWER PLANT AND TRANSMISSION LINE SITING
COMMITTEE**

IN THE MATTER OF THE APPLICATION OF)	
ARIZONA PUBLIC SERVICE COMPANY, IN)	
CONFORMANCE WITH THE REQUIREMENTS)	Docket No. L-00000D-09-0161-00143
OF ARIZONA REVISED STATUTES SECTION)	
40-360, et seq., FOR A CERTIFICATE OF)	Case No. 143
ENVIRONMENTAL COMPATIBILITY)	
AUTHORIZING THE BAGDAD 115kV)	
TRANSMISSION LINE RELOCATION PROJECT,)	
WHICH INCLUDES THE RELOCATION OF A)	
115kV TRANSMISSION LINE BETWEEN AN)	
EXISTING CAPACITOR BANK STATION, 0.5)	
MILES WEST OF THE UNINCORPORATED)	
TOWN OF BAGDAD, YAVAPAI COUNTY,)	
ARIZONA, AT SECTION 10, TOWNSHIP 14)	
NORTH, RANGE 9 WEST, G&SRB&M, AND AN)	
EXISTING MINE SUBSTATION, THREE MILES)	
NORTHWEST OF THE UNINCORPORATED)	
TOWN OF BAGDAD, YAVAPAI COUNTY,)	
ARIZONA, AT SECTION 31, TOWNSHIP 15)	
NORTH, RANGE 9 WEST, G&SRB&M)	

NOTICE OF HEARING

A PUBLIC HEARING WILL BE HELD before the Arizona Power Plant and Transmission Line Siting Committee ("Committee") regarding the Application of Arizona Public Service Company ("APS") for a Certificate of Environmental Compatibility authorizing the Bagdad 115kV Transmission Line Relocation Project ("Project") in Yavapai County, Arizona. The hearing will be held at the Hampton Inn & Suites, 2000 North Litchfield Road, Goodyear, Arizona, 85395, (623) 536-1313, beginning on Monday, May 18, 2009, at 9:30 a.m. and continuing, if necessary, on Tuesday, May 19, 2009, at 9:30 a.m. The hearing will adjourn at approximately 5:00 p.m. Additional hearing days, if necessary, will be noticed on the Arizona Corporation Commission ("ACC") website. The ACC website is www.azcc.gov/AZ_Power_Plant/LineSiting-Calendar.asp. Public comment will be taken at the beginning of each hearing day.

The Committee may conduct a tour of the Project area and the proposed route on a future date. If a tour is conducted, a map and itinerary for the tour will be available at the hearings. Members of the public may follow the Committee in their own private vehicles. During any tour, the Committee may hear brief testimony at stops on the tour from one or more witnesses concerning where the stops are located, what is visible at the stops and the relevance of the location and view to the Proposed Route of the transmission line in the Application. No other discussion or deliberation concerning the Application will occur.

The Project consists of approximately 5 miles of 115kV transmission line to be relocated to approximately 1 mile south of the existing location. A general location map of the Project study area and Applicant's Proposed Route containing references to the route described herein is set forth below.

The Proposed Route originates at an existing capacitor bank station, located 0.5 miles west of the Town of Bagdad in Section 10, Township 14 North, Range 9 West, G&SRB&M. The Proposed Route terminates at an existing mine substation, located 3 miles northwest of the Town of Bagdad in Section 31, Township 15 North, Range 9 West, G&SRB&M. The Applicant requests a 200-foot corridor, 100 feet on either side of the shown centerline.

More complete maps, along with more detailed textual descriptions of the proposed alignment are available in the Application itself. The Application, including detailed maps of the proposed Project, is on file with the Docket Control Office of the Arizona Corporation Commission, 1200 West Washington Street, Suite 108, Phoenix, Arizona 85007. Copies of the Application also are available for inspection at the following location:

- Bagdad Public Library, 100 Main Street, Bagdad, Arizona 86321

Depending on the issues raised and the number of intervenors appearing during the hearing, the Committee may deem it appropriate at some point to recess the hearing to a time and place to be announced during the hearing, or to be determined after the recess. These dates and places will be posted on the ACC website. At the discretion of the Committee, such resumed hearing may be held at a date, time and place designated by the Committee or its Chairman.

NOTE: NOTICE OF SUCH RESUMED HEARING WILL BE GIVEN. PUBLISHED NOTICE OF SUCH RESUMED HEARING IS NOT REQUIRED.

Each county and municipal government and state agency interested in the proposed Project and desiring to become a party to the proceeding, shall, not less than ten (10) days before the date set for hearing, provide the Committee Chairman by filing with the Arizona Corporation Commission, 1200 West Washington, Phoenix, Arizona 85007, a notice of its intent to be a party.

Any domestic, non-profit corporation or association, formed in whole or in part to promote conservation of natural beauty, to protect the environment, personal health or other biological values, to preserve historical sites, to promote consumer interests, to represent commercial and industrial groups or to promote the orderly development of the area in which the Project is to be located and desiring to become a party to the certification proceeding, shall, not less than ten (10) days before the date set for hearing, provide the Committee Chairman by filing with the Arizona Corporation Commission, 1200 West Washington, Phoenix, Arizona 85007, a notice of its intent to be a party.

The Committee or its Chairman, at any time deemed appropriate, may make other persons parties to the proceedings.

Any person may make a limited appearance at the hearing by providing a statement in writing with the Committee Chairman by filing with the Arizona Corporation Commission, 1200 West Washington, Phoenix, Arizona 85007, not less than five (5) days before the date set for hearing. A person making a limited appearance shall not be a party or have the right to present testimony or cross-examine witnesses.

This proceeding is governed by Arizona Revised Statutes Sections 40-360 to 40-360.13 and Arizona Administrative Code Rules R14-3-201 to R14-3-219. The written decision of the Committee shall be submitted to the Arizona Corporation Commission pursuant to Arizona Revised Statutes Section 40-360.07. Any person intending to be a party before the Arizona Corporation Commission must be a party to the certification proceedings before the Committee.

ORDERED this 30th day of March, 2009.

Hon. John Foreman, Chairman
Arizona Power Plant and Transmission
Line Siting Committee
Assistant Attorney General

1 **BEFORE THE ARIZONA POWER PLANT**
2 **AND TRANSMISSION LINE SITING COMMITTEE**

3 IN THE MATTER OF THE APPLICATION
4 OF UNS ELECTRIC, INC. FOR A
5 CERTIFICATE OF ENVIRONMENTAL
6 COMPATIBILITY FOR THE VAIL TO
7 VALENCIA 115KV TO 138KV
8 TRANSMISSION LINE UPGRADE
9 PROJECT, ORIGINATING AT THE
10 EXISTING VAIL SUBSTATION IN SEC. 4,
11 T.16S., R.15E., PIMA COUNTY, TO THE
12 EXISTING VALENCIA SUBSTATION IN
13 SEC. 5, T.24S., R.14E., IN THE CITY OF
14 NOGALES, SANTA CRUZ COUNTY,
15 ARIZONA.

Docket No. L-00000F-09-0190-00144

Case No. 144

11 **NOTICE OF HEARING**

12 A PUBLIC HEARING WILL BE HELD before the Arizona Power Plant and
13 Transmission Line Siting Committee ("Committee") regarding the application of
14 UNS Electric, Inc. ("UNS Electric" or "Applicant") for a Certificate of
15 Environmental Compatibility authorizing an upgrade of an existing 115 kV
16 Transmission Line to 138 kV and approximately 4 to 5.5 miles of new 138 kV line,
17 connecting the existing Vail Substation near the intersection of Interstate-10 and
18 Rita Road, in the City of Tucson, Pima County Arizona, to the existing Valencia
19 Substation at White Park Drive and Grand Avenue in the City of Nogales, Santa
20 Cruz County, Arizona (the "Project"). The hearing will be held at the Esplendor
21 Resort at Rio Rico, 1069 Camino Caralampi, Rio Rico, Arizona 85648. The
22 hearing is scheduled to begin Tuesday June 2, 2009 at 9:30 a.m., and to continue as
23 necessary on Wednesday June 3, 2009 at 8:30 a.m. and Thursday June 4, 2009 at
24 9:30 a.m. The hearing will adjourn at approximately 5:00 p.m. on all days.
25 Additional hearing days, if necessary, will be noticed on the Applicant and Arizona
26 Corporation Commission ("ACC") websites.

20 The Applicant's website with Project information is
21 <http://www.uesaz.com/Company/News/VailValencia.asp>

22 The ACC Website is: www.azcc.gov/AZ_Power_Plant/LineSiting-Calendar.asp.

23 Copies of the Application and Transcripts will be available for inspection at the
24 following locations:

24 Joyner-Green Valley Branch Library: 601 N. La Canada Drive, Green Valley,
25 Arizona 85614.

26 Nogales-Rochlin Public Library: 518 N. Grand Avenue, Nogales, Arizona 85621.

27 Pima County Public Library, 9640 E. Golf Links Road, Tucson, Arizona 85730.

PUBLIC COMMENT WILL BE TAKEN AFTER OPENING STATEMENTS AND AS PERMITTED BY THE COMMITTEE CHAIRMAN. IN ADDITION, A SEPARATE EVENING PUBLIC COMMENT SESSION WILL BE HELD JUNE 2, 2009, AT 6:00 P.M. ALSO AT THE ESPLENDOR RESORT, 1069 CAMINO CARALAMPI, RIO RICO, ARIZONA 85648.

The Project consists of replacing approximately 25 to 29 miles of an older single-circuit 115 kV line with new single-circuit 138 kV transmission line, and constructing approximately 4 to 5.5 miles of new single-circuit 138 kV line to facilitate a new interconnection for the Santa Cruz County service area. A general location map of the Applicant's proposed route, described herein, is set forth below.

The Project is proposed to originate at the existing Vail Substation operated by Tucson Electric Power Company ("TEP"), in T.16S., R.15E., Section 4 near Interstate 10 and Rita Road within the City of Tucson. A new line will extend approximately 4 to 5.5 miles, depending on the selected route, southwesterly to connect with the existing UNS Electric transmission line. The existing transmission line is currently operating at 115 kV, but was designed to operate at 138 kV. It will remain as presently constructed from that connection approximately 26 to 28 miles south to the Kantor Substation near Tubac (per Line Siting Case No. 78 approved in Decision No. 56097). Upon the Project's completion, that existing line will operate at 138 kV.

From Kantor Substation the existing 115 KV line will be rebuilt on steel monopoles and as a 138 KV transmission line:

- for approximately 13.4 to 14.9 miles from the Kantor Substation southerly to the Cañez Substation;
- for approximately 3.3 to 3.6 miles from the Canez Substation southerly to the Sonoita Substation; and
- for approximately 8.3 to 10.1 miles from the Sonoita Substation southerly to the Valencia Substation in Nogales.

Both preferred and alternative alignments for the rebuild portions and the 4 to 5.5 mile new portion from the Vail Substation for the Project have been submitted by the Applicant.

More complete maps, along with more detailed textual descriptions of the proposed route are available in the Application and on the Applicant's website. The Application that includes detailed maps of the proposed Project is on file with the Docket Control Center of the Arizona Corporation Commission, 1200 West Washington Street, Suite 108, Phoenix Arizona, 85007, and 400 West Congress Street, Suite 221, Tucson, Arizona 85701 in addition to the three locations above.

The Committee may conduct a tour of the Project area and the proposed routes – most likely to occur on June 3, 2009 starting at 8:30 a.m. If a tour is conducted, a map and itinerary for the tour will be available at the hearings. Members of the public may follow the Committee in their own private vehicles. During the tour, the Committee may hear brief testimony at stops on the tour from one or more witnesses concerning where the stops are located, what is visible at the stops and the relevance of the location and view to the proposed routes of the transmission

1 line in the Application. No other discussion or deliberation concerning the
2 Application will occur. A court reporter will transcribe any testimony taken on the
3 tour.

4 Depending on the issues raised and the number of intervenors appearing during the
5 hearing, the Committee may deem it appropriate at some point to recess the hearing
6 to a time and place to be announced during the hearing, or to be determined after
7 the recess, at which time and place the hearing will be resumed. These dates and
8 places will be posted on the Project and ACC websites. At the discretion of the
9 Committee, such resumed hearings may be held at a date, time and place
10 designated by the Committee or its Chairman.

11 **NOTE: NOTICE OF SUCH RESUMED HEARING WILL BE GIVEN;**
12 **PUBLISHED NOTICE OF SUCH RESUMED HEARING IS NOT**
13 **REQUIRED.**

14 Each county and municipal government and state agency interested in the proposed
15 Project and desiring to become a party in the proceeding must file with the Arizona
16 Corporation Commission, 1200 West Washington Street, Phoenix, Arizona 85007,
17 a notice of its intent to be a party. That notice must be filed not less than ten (10)
18 days before the date set for hearing.

19 Any domestic, non-profit corporation or association, formed in whole or in part to
20 promote conservation or natural beauty, to protect the environment, personal health
21 or other biological values, to preserve historical sites, to promote customer
22 interests, to represent commercial and industrial groups, or to promote the orderly
23 development of the area in which the Project is to be located and desiring to
24 become a party to the certification proceedings must file with the Arizona
25 Corporation Commission, 1200 West Washington Street, Phoenix, Arizona 85007,
26 notice of its intent to be a party. That notice must be filed not less than ten (10)
27 days before the date set for hearing.

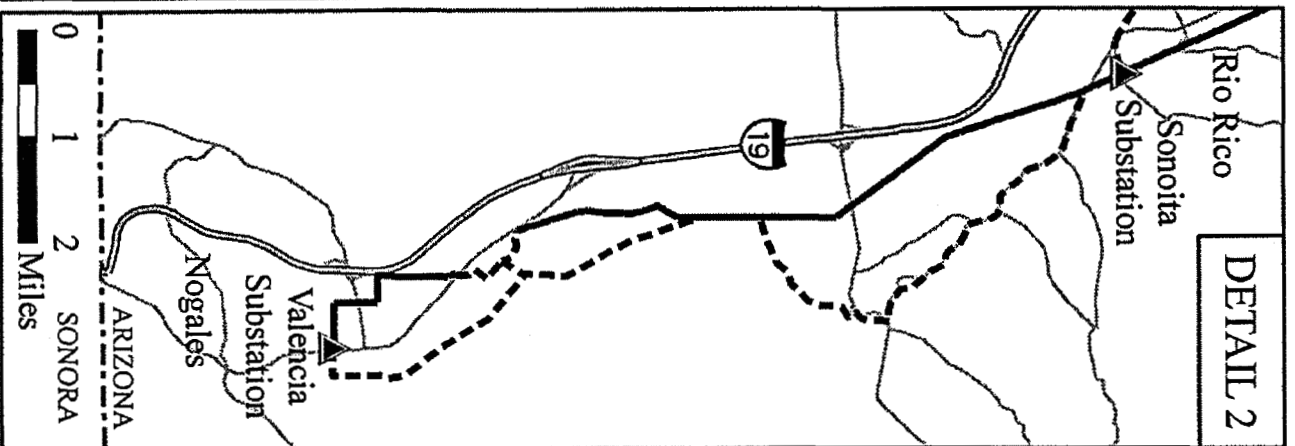
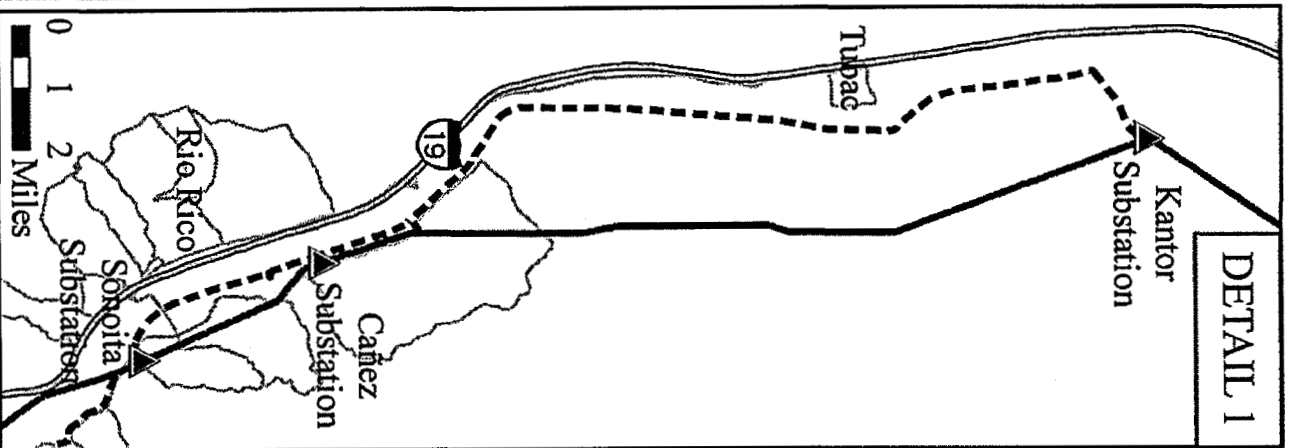
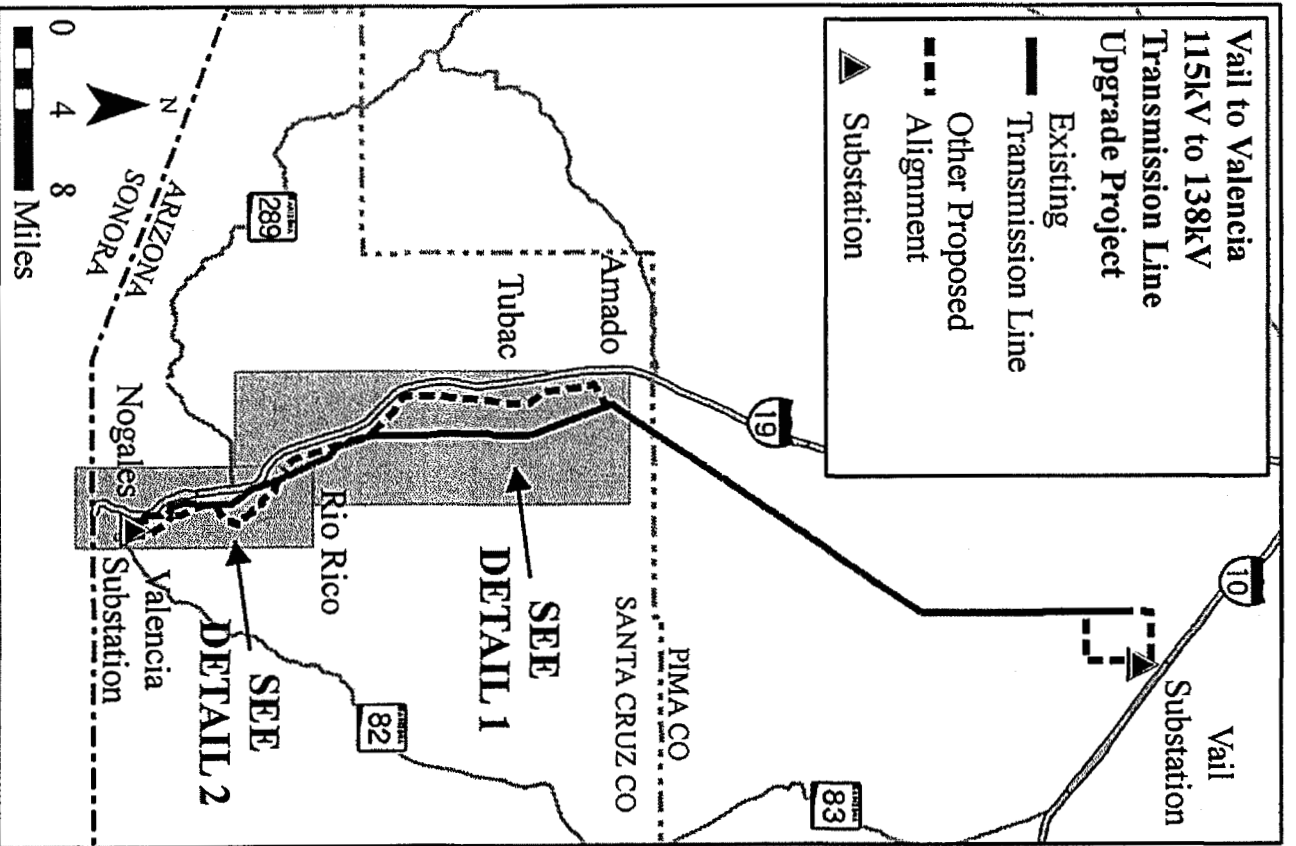
The Committee or its Chairman, at any time deemed appropriate, may make other
persons parties to the proceeding.

Any person may make a limited appearance at a hearing by filing a statement in
writing with the Arizona Corporation Commission, 1200 West Washington Street,
Phoenix, Arizona 85007, not less than five (5) days before a date set for hearing. A
person making a limited appearance shall not be a party or have the right to present
testimony or cross-examine witnesses.

This proceeding is governed by Arizona Revised Statutes (A.R.S.) §§ 40-360 to 40-
360.13 and Arizona Administrative Code R14-3-201 to R14-3-219. No substantive
communication, not in the public record, may be made to any member of the
Committee. The written decision of the Committee will be submitted to the Arizona
Corporation Commission pursuant to A.R.S. § 40-360.07. Any person intending to
be a party before the Arizona Corporation Commission must be a party to the
certification proceedings before the Committee.

1 ORDERED this ____ day of April, 2009.

2
3 John Foreman, Chairman
4 ARIZONA POWER PLANT AND TRANSMISSION
5 LINE SITING COMMITTEE
6 Assistant Attorney General
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CONDITIONS

This Certificate is granted upon the following conditions:

1. The Applicant shall obtain all approvals and permits required by the United States, the State of Arizona, the County of [county], and any other governmental entities having jurisdiction necessary to construct the Project.
2. The Applicant shall comply with all existing applicable statutes, ordinances, master plans and regulations of the United States, the State of Arizona, the County of [county], and any other governmental entities having jurisdiction during the construction and operation of the transmission line [power plant].
3. If any archaeological, paleontological or historical site or object that is at least fifty years old is discovered on state, county or municipal land during the construction or operation of the transmission line [power plant], the Applicant or its representative in charge shall promptly report the discovery to the Director of the Arizona State Museum, and in consultation with the Director, shall immediately take all reasonable steps to secure and maintain the preservation of the discovery. A.R.S. § 41-844.
4. If human remains and/or funerary objects are encountered on private land during the course of any ground-disturbing activities relating to the construction or operation of the transmission line [power

plant], the Applicant shall cease work on the affected area of the Project and notify the Director of the Arizona State Museum. A.R.S. § 41-865.

5. The Applicant shall comply with the notice and salvage requirements of the Arizona Native Plant Law (A.R.S. §§ 3-901 et seq.) and shall, to the extent feasible, minimize the destruction of native plants during the construction and operation of the transmission line [power plant].
6. The Applicant shall not assign this Certificate or its interest in the Project authorized by this Certificate without prior approval of the Commission. Any assignment of this Certificate shall require the assignee to assume all responsibilities of the Applicant listed in this Certificate.
7. This authorization to construct this Project shall expire five years from the date the Certificate is approved by the Commission unless the transmission line [power plant] is capable of operation. However, prior to expiration, the Applicant or its assignees may request that the Commission extend this time limitation.
8. In the event that the Project requires an extension of the term of this Certificate prior to completion of construction, Applicant shall use reasonable means to notify all landowners and residents within one mile of the Project corridor [location], all persons who made public comment at this proceeding, and all parties to this proceeding of the request and the time and place of the hearing in which the Commission will consider the request for extension.

9. The Applicant shall make every reasonable effort to identify and correct, on a case-specific basis, all complaints of interference with radio or television signals from operation of the transmission lines and related facilities addressed in this Certificate. The Applicant shall maintain written records for a period of five years of all complaints of radio or television interference attributable to operation, together with the corrective action taken in response to each complaint. All complaints shall be recorded to include notations on the corrective action taken. Complaints not leading to a specific action or for which there was no resolution shall be noted and explained.
10. Within 120 days of the Commission decision granting this Certificate, Applicant will post signs in public rights-of-way giving notice of the Project corridor to the extent authorized by law. The Applicant shall place signs in prominent locations at reasonable intervals such that the public is notified along the full length of the transmission line until the transmission structures are constructed. To the extent practicable, within 45 days of securing easement or right-of-way for the Project, the Applicant shall erect and maintain signs providing public notice that the property is the site of a future transmission line. Such signage shall be no smaller than a normal roadway sign. The signs shall advise:
- (a) That the site has been approved for the construction of Project facilities;
 - (b) The expected date of completion of the Project facilities;
 - (c) A phone number for public information regarding the Project;
 - (d) The name of the Project;
 - (e) The name of the Applicant; and
 - (f) The website of the Project.

11. Applicant, or its assignee(s), shall design the transmission lines to incorporate reasonable measures to minimize impacts to raptors.
12. Applicant, or its assignee(s), shall use non-specular conductor and dulled surfaces for transmission line structures.
13. Before construction on this Project may commence, the Applicant shall file a construction mitigation and restoration plan ("Plan") with ACC Docket Control. Where practicable, the Plan shall specify the Applicant's plans for construction access and methods to minimize impacts to wildlife and to minimize vegetation disturbance outside of the Project right-of-way particularly in drainage channels and along stream banks, and shall re-vegetate, unless waived by the landowner, native areas of construction disturbance to its preconstruction state outside of the power-line right of way after construction has been completed. The Plan shall specify the Applicant's plans for coordination with the Arizona Game and Fish Department and the State Historic Preservation Office. The Applicant shall use existing roads for construction and access where practicable and the Plan shall specify the manner in which the Applicant makes use of existing roads.
14. With respect to the Project, Applicant shall participate in good faith in state and regional transmission study forums to coordinate transmission expansion plans related to the Project and to resolve transmission constraints in a timely manner.
15. The Applicant shall provide copies of this Certificate to [all affected governmental entities, e.g., affected cities and counties, the Arizona State Land Department, the State Historic Preservation Office, and the Arizona Game and Fish Department].

16. Prior to the date construction commences on this Project, the Applicant shall provide known homebuilders and developers within one mile of the center line of the Certificated route [power plant] the identity, location, and a pictorial depiction of the type of power line [plant] being constructed, accompanied by a written description, and encourage the developers and homebuilders to include this information in the developers' and homebuilders' homeowners' disclosure statements.

17. Before commencing construction of Project facilities located parallel to and within 100 feet of any existing natural gas or hazardous liquid pipeline, the Applicant shall:

(a) Perform the appropriate grounding and cathodic protection studies to show that the Project's location parallel to and within 100 feet of such pipeline results in no material adverse impacts to the pipeline or to public safety when both the pipeline and the Project are in operation. If material adverse impacts are noted in the studies, Applicant shall take appropriate steps to ensure that such material adverse impacts are mitigated. Applicant shall provide to Commission Staff reports of studies performed; and

(b) Perform a technical study simulating an outage of the Project that may be caused by the collocation of the Project parallel to and within 100 feet of the existing natural gas or hazardous liquid pipeline. This study should either: i) show that such outage does not result in customer outages; or ii) include operating plans to minimize any resulting customer outages. Applicant shall provide a copy of this study to Commission Staff.

18. Applicant will follow the latest Western Electricity Coordinating Council/North American Electric Reliability Corporation Planning standards as approved by the Federal Energy Regulatory Commission, and National Electrical Safety Code construction standards.
19. The Applicant shall submit a self-certification letter annually, identifying progress made with respect to each condition contained in the Certificate, including which conditions have been met. Each letter shall be submitted to the Docket Control of the Arizona Corporation Commission on December 1 beginning in 2009. Attached to each certification letter shall be documentation explaining how compliance with each condition was achieved. Copies of each letter along with the corresponding documentation shall be submitted to the Arizona Attorney General and Department of Commerce Energy Office. The requirement for the self-certification shall expire on the date the Project is placed into operation.
20. Within sixty (60) days of the Commission decision granting this Certificate, the Applicant shall make good faith efforts to commence discussions with private landowners, on whose property the Project corridor is located, to identify the specific location for the Project's right-of-way and placement of poles.
21. The Applicant shall expeditiously pursue reasonable efforts to work with private landowners on whose property the Project right-of-way will be located, to mitigate the impacts of the location, construction, and operation of the Project on private land.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This Certificate incorporates the following findings of fact and conclusions of law:

1. The Project is in the public interest because it aids the state in meeting the need for an adequate, economical and reliable supply of electric power.
2. In balancing the need for the Project with its effect on the environment and ecology of the state, the conditions placed on the CEC by the Committee effectively minimize its impact on the environment and ecology of the state.
3. The conditions placed on the CEC by the Committee resolve matters concerning the need for the Project and its impact on the environment and ecology of the state raised during the course of proceedings, and as such, serve as the findings on the matters raised.
4. In light of these conditions, the balancing in the broad public interest results in favor of granting the CEC.

From: "Sundlof Jr., Kenneth C." <sundlof@jsslaw.com>
To: "Tara Williams" <Tara.Williams@azag.gov>
Date: 5/19/2009 3:42 PM
Subject: RE: Pre-filing meeting for SRP's Abel to Moody application

We have not heard from Staff. I will check.

Thanks for noticing this.

Ken

Kenneth C. Sundlof, Jr.
Attorney at Law
Jennings, Strouss & Salmon, PLC
201 E. Washington Street, 11th Floor
Phoenix, AZ 85004-2385
T: 602.262.5946
F: 602.495.2659
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sundlof@jsslaw.com
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-----Original Message-----

From: Tara Williams [mailto:Tara.Williams@azag.gov]
Sent: Tuesday, May 19, 2009 3:24 PM
To: Sundlof Jr., Kenneth C.
Subject: Re: Pre-filing meeting for SRP's Abel to Moody application

Mr. Sundlof,

To clarify, was Commission Staff informed of the meeting, and will they be attending?

Thank you,
Tara Williams
Assistant
Consumer Protection & Advocacy Section
Office of the Attorney General
Tel: (602) 542-7759
Fax: (602) 542-4377
tara.williams@azag.gov

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>>> "Sundlof Jr., Kenneth C." <sundlof@jsslaw.com> 5/19/2009 3:05 PM >>>
Chairman Foreman and Ms. Williams

Here is a chart of those who were notified of the pre-filing meeting tomorrow, and those who have indicated an intent to attend.

Also, we took the liberty of drafting an agenda of issues to be discussed at the meeting, understanding of course that this is your call.

Thanks for your help and we will see you tomorrow.

Ken

Kenneth C. Sundlof, Jr.

Attorney at Law

Jennings, Strouss & Salmon, PLC

201 E. Washington Street, 11th Floor

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Salt River Project – Abel to Moody Transmission Project
List of Attendees Invited to Pre-Filing Procedural
Conference on May 20, 2009

Invited	Affiliation	Attending Yes/No or No Response
Chris Brady	City of Mesa	No
Deborah Spinner	City of Mesa	
George Pettit	Town of Gilbert	Kyle Mieras, Planning and Development Services Manger will attend
John Kross	Town of Queen Creek	Gary Birnbaum or James Braselton
Fredda Bisman	Town of Queen Creek	No
Manny Gonzalez	Pinal County	Lawrence Robertson will attend in his place
James Hogue	State Land Department	No Response
Walt Fix	Phoenix-Mesa Gateway Airport – Director of Planning & Special Projects	Yes Christopher Schmaltz will also be attending
Lynn Kusy	Phoenix-Mesa Gateway Airport	No
Jason Barney	Developer	Yes with Buzz Slaven
Lawrence Robertson	Lawyer/Pinal County	Yes
Scott Wakefield	Lawyer	Yes
Levi Shill	Encantera Development	No
Rebecca Porter	V & P Nurseries QC Niko 1 & W, LLC	No Response

**Abel/Moody 230kV CEC Siting Case
Before the Arizona Power Plant and Line Siting Committee
Prehearing Conference**

**Agenda
Wednesday, May 20, 2009**

- 1) Anticipated Filing Date
- 2) Potential Hearing Dates
- 3) Hearing Location
- 4) Evening Public Comment Session
- 5) Route Tour
- 6) Anticipated Witnesses
- 7) Draft Notice of Hearing
- 8) Posted Signs Notification of Hearing
- 9) Newspaper Notification of Hearing
- 10) Other Comments

###

From: "Sundlof Jr., Kenneth C." <sundlof@jsslaw.com>
To: "Tara Williams" <Tara.Williams@azag.gov>
Date: 5/19/2009 3:52 PM
Subject: RE: Pre-filing meeting for SRP's Abel to Moody application

Ms. Williams

We checked with Charles Haines, an attorney at the ACC who often is involved in siting cases. Charles said that the Commission Staff has not attended these recently, and probably Staff will not attend.

Ken

Kenneth C. Sundlof, Jr.
Attorney at Law
Jennings, Strouss & Salmon, PLC
201 E. Washington Street, 11th Floor
Phoenix, AZ 85004-2385
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Sent: Tuesday, May 19, 2009 3:24 PM
To: Sundlof Jr., Kenneth C.
Subject: Re: Pre-filing meeting for SRP's Abel to Moody application

Mr. Sundlof,

To clarify, was Commission Staff informed of the meeting, and will they be attending?

Thank you,
Tara Williams
Assistant
Consumer Protection & Advocacy Section
Office of the Attorney General

Tel: (602) 542-7759
Fax: (602) 542-4377
tara.williams@azag.gov

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>>> "Sundlof Jr., Kenneth C." <sundlof@jsslaw.com> 5/19/2009 3:05 PM >>>
Chairman Foreman and Ms. Williams

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Also, we took the liberty of drafting an agenda of issues to be discussed at the meeting, understanding of course that this is your call.

Thanks for your help and we will see you tomorrow.

Ken

Kenneth C. Sundlof, Jr.

Attorney at Law

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From: "Brandt Jana K" <Jana.Brandt@srpnet.com>
To: "Tara Williams" <Tara.Williams@azag.gov>
Date: 5/19/2009 4:10 PM
Subject: RE: Revised CEC Conditions

Thanks Tara.

-----Original Message-----

From: Tara Williams [mailto:Tara.Williams@azag.gov]
Sent: Tuesday, May 19, 2009 4:09 PM
To: Brandt Jana K
Subject: Revised CEC Conditions

Ms. Brandt,

The Chairman has drafted revised CEC conditions, which will be passed out to the parties tomorrow. I have attached the updated document.

Thank you,
Tara Williams
Assistant
Consumer Protection & Advocacy Section
Office of the Attorney General
Tel: (602) 542-7759
Fax: (602) 542-4377
tara.williams@azag.gov

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[These are draft conditions to be attached to a proposed Certificate of Environmental Compatibility for consideration by the parties to hearings. They should be considered as a starting point not necessarily an ending point for the discussions the parties are required to hold before and during a hearing concerning the final form of the CEC. Not all draft conditions are appropriate for each case. If the parties agree to use or a party individually wishes to propose different language based upon the language used in a prior CEC approved by the Committee or Commission, please indicate which case the language was taken from and by whom it was approved.]

CONDITIONS

This Certificate is granted upon the following conditions:

1. The Applicant shall obtain all approvals and permits required by the United States, the State of Arizona, the County of [county], and any other governmental entities having jurisdiction necessary to construct the Project.
2. The Applicant shall comply with all existing applicable statutes, ordinances, master plans and regulations of the United States, the State of Arizona, the County of [county], and any other governmental entities having jurisdiction during the construction and operation of the transmission line [power plant].
3. If any archaeological, paleontological or historical site or object that is at least fifty years old is discovered on state, county or municipal land during the construction or operation of the transmission line [power plant], the Applicant or its representative in charge shall promptly report the discovery to the Director of the Arizona State Museum, and in consultation with the Director, shall immediately take all reasonable steps to secure and maintain the preservation of the discovery. A.R.S. § 41-844.

4. If human remains and/or funerary objects are encountered on private land during the course of any ground-disturbing activities relating to the construction or operation of the transmission line [power plant], the Applicant shall cease work on the affected area of the Project and notify the Director of the Arizona State Museum. A.R.S. § 41-865.
5. The Applicant shall comply with the notice and salvage requirements of the Arizona Native Plant Law (A.R.S. §§ 3-901 et seq.) and shall, to the extent feasible, minimize the destruction of native plants during the construction and operation of the transmission line [power plant].
6. The Applicant shall not assign this Certificate or its interest in the Project authorized by this Certificate without prior approval of the Commission. Any assignment of this Certificate shall require the assignee to assume all responsibilities of the Applicant listed in this Certificate.
7. This authorization to construct this Project shall expire five years from the date the Certificate is approved by the Commission unless the transmission line [power plant] is capable of operation. However, prior to expiration, the Applicant or its assignees may request that the Commission extend this time limitation.
8. In the event that the Project requires an extension of the term of this Certificate prior to completion of construction, Applicant shall use reasonable means to notify all landowners and residents within one mile of the Project corridor [location], all persons who made public

comment at this proceeding, and all parties to this proceeding of the request and the time and place of the hearing in which the Commission will consider the request for extension.

9. The Applicant shall make every reasonable effort to identify and correct, on a case-specific basis, all complaints of interference with radio or television signals from operation of the transmission lines and related facilities addressed in this Certificate. The Applicant shall maintain written records for a period of five years of all complaints of radio or television interference attributable to operation, together with the corrective action taken in response to each complaint. All complaints shall be recorded to include notations on the corrective action taken. Complaints not leading to a specific action or for which there was no resolution shall be noted and explained.
10. Within 120 days of the Commission decision granting this Certificate, Applicant will post signs in public rights-of-way giving notice of the Project corridor to the extent authorized by law. The Applicant shall place signs in prominent locations at reasonable intervals such that the public is notified along the full length of the transmission line until the transmission structures are constructed. To the extent practicable, within 45 days of securing easement or right-of-way for the Project, the Applicant shall erect and maintain signs providing public notice that the property is the site of a future transmission line. Such signage shall be no smaller than a normal roadway sign. The signs shall advise:
 - (a) That the site has been approved for the construction of Project facilities;
 - (b) The expected date of completion of the Project facilities;
 - (c) A phone number for public information regarding the Project;

- (d) The name of the Project;
- (e) The name of the Applicant; and
- (f) The website of the Project.

11. Applicant, or its assignee(s), shall design the transmission lines to incorporate reasonable measures to minimize impacts to raptors.
12. Applicant, or its assignee(s), shall use non-specular conductor and dulled surfaces for transmission line structures.
13. Before construction on this Project may commence, the Applicant shall file a construction mitigation and restoration plan ("Plan") with ACC Docket Control. Where practicable, the Plan shall specify the Applicant's plans for construction access and methods to minimize impacts to wildlife and to minimize vegetation disturbance outside of the Project right-of-way particularly in drainage channels and along stream banks, and shall re-vegetate, unless waived by the landowner, native areas of construction disturbance to its preconstruction state outside of the power-line right of way after construction has been completed. The Plan shall specify the Applicant's plans for coordination with the Arizona Game and Fish Department and the State Historic Preservation Office. The Applicant shall use existing roads for construction and access where practicable and the Plan shall specify the manner in which the Applicant makes use of existing roads.
14. With respect to the Project, Applicant shall participate in good faith in state and regional transmission study forums to coordinate transmission expansion plans related to the Project and to resolve transmission constraints in a timely manner.
15. The Applicant shall provide copies of this Certificate to [all affected governmental entities, e.g., affected cities and counties, the Arizona

State Land Department, the State Historic Preservation Office, and the Arizona Game and Fish Department].

16. Prior to the date construction commences on this Project, the Applicant shall provide known homebuilders and developers within one mile of the center line of the Certificated route [power plant] the identity, location, and a pictorial depiction of the type of power line [plant] being constructed, accompanied by a written description, and encourage the developers and homebuilders to include this information in the developers' and homebuilders' homeowners' disclosure statements.

17. Before commencing construction of Project facilities located parallel to and within 100 feet of any existing natural gas or hazardous liquid pipeline, the Applicant shall:

(a) Perform the appropriate grounding and cathodic protection studies to show that the Project's location parallel to and within 100 feet of such pipeline results in no material adverse impacts to the pipeline or to public safety when both the pipeline and the Project are in operation. If material adverse impacts are noted in the studies, Applicant shall take appropriate steps to ensure that such material adverse impacts are mitigated. Applicant shall provide to Commission Staff reports of studies performed; and

(b) Perform a technical study simulating an outage of the Project that may be caused by the collocation of the Project parallel to and within 100 feet of the existing natural gas or hazardous liquid pipeline. This study should either: i) show that such outage does not result in customer outages; or ii) include operating plans to minimize any resulting customer outages.

Applicant shall provide a copy of this study to Commission Staff.

18. Applicant will follow the latest Western Electricity Coordinating Council/North American Electric Reliability Corporation Planning standards as approved by the Federal Energy Regulatory Commission, and National Electrical Safety Code construction standards.
19. The Applicant shall submit a self-certification letter annually, identifying progress made with respect to each condition contained in the Certificate, including which conditions have been met. Each letter shall be submitted to the Docket Control of the Arizona Corporation Commission on December 1 beginning in 2009. Attached to each certification letter shall be documentation explaining how compliance with each condition was achieved. Copies of each letter along with the corresponding documentation shall be submitted to the Arizona Attorney General and Department of Commerce Energy Office. The requirement for the self-certification shall expire on the date the Project is placed into operation.
20. Within sixty (60) days of the Commission decision granting this Certificate, the Applicant shall make good faith efforts to commence discussions with private landowners, on whose property the Project corridor is located, to identify the specific location for the Project's right-of-way and placement of poles.
21. The Applicant shall expeditiously pursue reasonable efforts to work with private landowners on whose property the Project right-of-way will be located, to mitigate the impacts of the location, construction, and operation of the Project on private land.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This Certificate incorporates the following findings of fact and conclusions of law:

1. The Project is in the public interest because it aids the state in meeting the need for an adequate, economical and reliable supply of electric power.
2. In balancing the need for the Project with its effect on the environment and ecology of the state, the conditions placed on the CEC by the Committee effectively minimize its impact on the environment and ecology of the state.
3. The conditions placed on the CEC by the Committee resolve matters concerning the need for the Project and its impact on the environment and ecology of the state raised during the course of proceedings, and as such, serve as the findings on the matters raised.
4. In light of these conditions, the balancing in the broad public interest results in favor of granting the CEC.

From: "Sundlof Jr., Kenneth C." <sundlof@jsslaw.com>
To: <john.foreman@azag.gov>
Date: 5/20/2009 11:47 AM
Subject: Abel Moody Application
Attachments: SRP _ Abel to Moody Transmission Line Chart re Attendees.doc; Draft Notice of Hearing 052009.doc

CC: "Tara Williams" <Tara.Williams@azag.gov>
Chairman Foreman and Ms. Williams

We have had one more rsvp, Craig Marks who will represent the City of Mesa. I am enclosing a revised chart. Also, as I mentioned to Ms. Williams, it does not appear that ACC Staff plans to attend.

I am also enclosing a draft notice of hearing that I will distribute today. I am sending this so that you have an electronic copy.

Thanks, and see you at 2:00.

Ken

Kenneth C. Sundlof, Jr.

Attorney at Law

Jennings, Strouss & Salmon, PLC

201 E. Washington Street, 11th Floor

Phoenix, AZ 85004-2385

T: 602.262.5946

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1 **BEFORE THE ARIZONA POWER PLANT**
2 **AND TRANSMISSION LINE SITING COMMITTEE**

3
4 IN THE MATTER OF THE APPLICATION
5 OF SALT RIVER PROJECT
6 AGRICULTURAL IMPROVEMENT AND
7 POWER DISTRICT, IN CONFORMANCE
8 WITH THE REQUIREMENTS OF
9 ARIZONA REVISED STATUTES,
10 SECTIONS 40-360, et seq., FOR A
11 CERTIFICATE OF ENVIRONMENTAL
12 COMPATIBILITY AUTHORIZING
13 CONSTRUCTION OF A 230 kV DOUBLE-
14 CIRCUIT TRANSMISSION LINE
15 ORIGINATING AT THE PLANNED AND
16 PERMITTED ABEL SUBSTATION, NEAR
17 JUDD AND ATTAWAY ROADS IN PINAL
18 COUNTY, TO THE PLANNED AND
19 PERMITTED RS-17 SUBSTATION,
20 ADJACENT TO THE EXISTING MOODY
21 SUBSTATION, LOCATED NEAR PECOS
22 AND RECKER ROADS, IN THE TOWN OF
23 GILBERT, MARICOPA COUNTY,
24 ARIZONA, AND INCLUDING A NEW
25 230/69 kV SUBSTATION NEAR THE
26 INTERSECTION OF COMBS AND
27 MERIDIAN ROADS, IN OR ADJACENT TO
28 THE TOWN OF QUEEN CREEK,
29 ARIZONA .

Docket No. L-00000B-09-0XXX-0014X

Case No. 14X

30 **NOTICE OF HEARING**

31 A PUBLIC HEARING WILL BE HELD before the Arizona Power Plant and
32 Transmission Line Siting Committee ("Committee") regarding the application of
33 Salt River Project Agricultural Improvement and Power District ("SRP" or
34 "Applicant") for a Certificate of Environmental Compatibility authorizing the
35 Abel-Moody 230 kV Transmission Project (the "Project").

36 The Project consists of approximately 20 miles of new 230 kV double-circuit
37 transmission line and a 230/69 kV substation (referred to as RS-24) which will be
38 located on approximately 25 acres near the intersection of Combs Road and
39 Meridian Road. The Project will be located in the Queen Creek area. A general
40 location map of the Applicant's preferred and alternative routes, described herein,
41 is attached.

42 The hearing will be held at the ASU Polytechnic Campus, Cooley Ballroom in the
43 Student Union Building, 7001 E. Williams Field Road, Mesa, Arizona 85212,
44 (480) 727-1098. A map and directions to the Campus may be printed at

1 <http://www.poly.asu.edu/union/documents/uniond.pdf>. The hearing is scheduled to
2 begin [day], [date] at 9:30 a.m., and to continue as necessary on [day], [date] and
3 [day], [date] at 9:30 a.m. The hearing will adjourn at approximately 5:00 p.m. on
all days. Additional hearing days, if necessary, will be noticed on the Applicant
and Arizona Corporation Commission ("ACC") websites.

4 The Applicant's website with Project information is:
5 <http://www.azpower.org/abelmoody/>

6 The ACC Website is: [http://www.cc.state.az.us/az_power_plant/linesiting-](http://www.cc.state.az.us/az_power_plant/linesiting-calendar.asp)
7 [calendar.asp](http://www.cc.state.az.us/az_power_plant/linesiting-calendar.asp)

8 **PUBLIC COMMENT WILL BE TAKEN AFTER OPENING STATEMENTS**
9 **AND AS PERMITTED BY THE COMMITTEE CHAIRMAN. IN**
10 **ADDITION, A SEPARATE EVENING PUBLIC COMMENT SESSION**
11 **WILL BE HELD [date], AT 6:00 P.M. ALSO AT THE SAME LOCATION**
12 **THE ASU POLYTECHNIC CAMPUS, COOLEY BALLROOM IN THE**
13 **STUDENT UNION BUILDING, 7001 E. WILLIAMS FIELD ROAD, MESA,**
14 **ARIZONA 85212.**

15 The proposed transmission line alignments in the northwestern section of the
16 Project area begin at the Moody and RS-17 substations at or near the intersection of
17 Recker Road and the Union Pacific Railroad on the north and ends near the
18 intersection of Meridian Road and the Union Pacific Railroad on the south, near the
19 southeast corner of the Town of Queen Creek. The southern section continues
20 from the Meridian Road intersection south to the Abel Substation site. There are
21 four proposed alignments in the northern section, some of which contain minor
22 variations. There are three proposed alignments in the southern section.

23 Northern Section:

24 (1) Ryan Alignment (Preferred) – The Applicant's preferred alignment
25 begins near the Moody 69kV Substation site along the RWCD canal with an
26 interconnection into the existing Santan-Schrader 230kV line along the canal
27 (Nodes 1-2). The alignment then follows the Union Pacific Railroad ("UPRR")
right-of-way parallel to an existing 69kV line southeast to Ryan Road (Nodes 2-43-
11). The alignment then parallels Ryan Road to the east until it intersects Signal
Butte Road (Nodes 11-12-13), turns south to the UPRR (Nodes 13-24) and
parallels the UPRR to the southeast (Nodes 24-27). The Ryan alignment contains
one sub-alternative that utilizes Meridian Road, rather than Signal Butte Road.
This sub-alternative continues one-mile east on the Ryan alignment, then turns
south along Meridian Road to the UPRR (Nodes 13-14-27). The Meridian sub-
alternative is not part of the Applicant's preferred alignment.

(2) Germann Alignment (Alternative) – This alternative alignment begins near the
Moody 69kV Substation site along the RWCD canal with an interconnection into
the existing Santan-Schrader 230kV Transmission Line along the canal (Nodes 1-
2). The alignment then follows the UPRR right-of-way southeast to Germann Road
(Nodes 2-43). The alignment then parallels Germann Road to the east until it
intersects Signal Butte Road (Nodes 43-7-8), turns south to the UPRR and parallels
the UPRR to Node 27 (Nodes 8-13-24-27). The Germann alignment contains a
sub-alternative that parallels Meridian Road rather than Signal Butte Road. This

sub-alternative continues one-mile east on the Germann alignment, then turns south along Meridian Road to the UPRR (Nodes 8-9-14-27).

(3) North-Railroad Alignment (Alternative) – This alternative alignment begins near the Moody 69kV Substation site along the RWCD canal with an interconnection into the existing Santan-Schrader 230kV Transmission Line along the canal (Nodes 1-2) and builds new structures parallel to , then follows the UPRR right-of-way from the RWCD canal to Combs Road (Nodes 2-43-11-24-27).

(4) Ocotillo Alignment (Alternative) – This alternative alignment begins with an interconnection into the existing Santan-Schrader 230kV line along the RWCD canal at Queen Creek Road (Node 16). This alternative alignment uses existing conductor and structures parallel to the RWCD canal south to Queen Creek Road (Node 16) The alignment continues south, adjacent to the RWCD canal to Ocotillo Road (Nodes 16-87). At Ocotillo Road, the alignment turns east to Sonoqui Wash and follows the wash southeast to the intersection with Riggs Road (Nodes 87-88-81-79). The alignment then continues east to the UPRR and Combs Road intersection (Nodes 79-27). Two sub-alternatives exist within this alternative. One extends east from the existing SRP Santan-Schrader 230kV Transmission Line along the RWCD canal using existing structures and conductor to at Queen Creek Road (Node 16) and and builds new structures east along Queen Creek Road, south along Higley Road to Ocotillo Road (Nodes 16-17-88). Another sub-alternative extends from Ocotillo south along Power Road to Riggs Road and then east (Nodes 81-51-79). This sub-alternative bypasses the Sonoqui Wash.

Southern Section:

(1) South-Railroad Alignment (Preferred) – The Applicant's preferred alignment parallels the UPRR right-of-way from Meridian Road southeast to the intersection of the Magma Railroad right-of-way (Nodes 27-62-98). It then continues northeast along the Magma Railroad right-of-way to the Abel Substation site (Nodes 98-36).

(2) Combs Alignment (Alternative) – This alternative alignment begins at the UPRR at Meridian Road and continues east along Combs Road to Schnepf Road (Nodes 27-61). The alignment then follows Schnepf Road south to Skyline Road (Nodes 61-63). From Skyline Road, it continues east to Quail Run Lane before extending south to Judd Road (Nodes 63-66-35). At Judd Road, the route turns east to the Abel Substation site (Nodes 35-36).

(3) Skyline Alignment (Alternative) – This alternative alignment parallels the UPRR from Meridian Road southeast to Skyline Road and then departs from the UPRR at the intersection of Skyline Road (Nodes 27-62). The alignment continues east to Quail Run Lane before continuing south to Judd Road (Nodes 62-63-66-35). At Judd Road the route turns east to the Abel Substation site (Nodes 35-36).

More complete maps, along with more detailed textual descriptions of the proposed routes are available in the Application and on the Applicant's website.

The Application that includes detailed maps of the proposed Project is on file with the Docket Control Center of the ACC, 1200 West Washington Street, Suite 108, Phoenix Arizona, 85007. Copies of the Application and Transcripts will also be available for inspection at the following locations:

1 Southeast Regional Library (Maricopa County): 775 N. Greenfield Rd., Gilbert,
AZ 85234

2
3 Queen Creek Branch Library: 21802 S. Ellsworth Rd., Queen Creek, AZ 85242

4 Florence Library: 1000 S. Main St., Florence, AZ 85232

5 The Committee may conduct a tour of the Project area and the proposed routes –
6 most likely to occur on [date] starting at 8:30 a.m. If a tour is conducted, a map
7 and itinerary for the tour will be available at the hearings. Members of the public
8 may follow the Committee in their own private vehicles. During the tour, the
9 Committee may hear brief testimony at stops on the tour from one or more
10 witnesses concerning where the stops are located, what is visible at the stops and
the relevance of the location and view to the proposed routes of the transmission
line in the Application. No other discussion or deliberation concerning the
Application will occur. A court reporter will transcribe any testimony taken on the
tour.

11 Depending on the issues raised and the number of intervenors appearing during the
12 hearing, the Committee may deem it appropriate at some point to recess the hearing
13 to a time and place to be announced during the hearing, or to be determined after
14 the recess, at which time and place the hearing will be resumed. These dates and
places will be posted on the Project and ACC websites. At the discretion of the
Committee, such resumed hearings may be held at a date, time and place
designated by the Committee or its Chairman.

15 **NOTE: NOTICE OF SUCH RESUMED HEARING WILL BE GIVEN.**
16 **PUBLISHED NOTICE OF SUCH RESUMED HEARING IS NOT**
REQUIRED.

17 Each county and municipal government and state agency interested in the proposed
18 Project and desiring to become a party in the proceeding must file with the Arizona
19 Corporation Commission, 1200 West Washington Street, Phoenix, Arizona 85007,
a notice of its intent to be a party. That notice must be filed not less than ten (10)
days before the date set for hearing.

20 Any domestic, non-profit corporation or association, formed in whole or in part to
21 promote conservation or natural beauty, to protect the environment, personal health
22 or other biological values, to preserve historical sites, to promote customer
23 interests, to represent commercial and industrial groups, or to promote the orderly
development of the area in which the Project is to be located and desiring to
become a party to the certification proceedings must file with the ACC, 1200 West
Washington Street, Phoenix, Arizona 85007, notice of its intent to be a party. That
notice must be filed not less than ten (10) days before the date set for hearing.

24 The Committee or its Chairman, at any time deemed appropriate, may make other
25 persons parties to the proceeding.

26 Any person may make a limited appearance at a hearing by filing a statement in
27 writing with the ACC, 1200 West Washington Street, Phoenix, Arizona 85007, not
less than five (5) days before a date set for hearing. A person making a limited

1 appearance shall not be a party or have the right to present testimony or cross-
2 examine witnesses.

3 This proceeding is governed by Arizona Revised Statutes (A.R.S.) §§ 40-360 to 40-
4 360.13 and Arizona Administrative Code R14-3-201 to R14-3-219. No substantive
5 communication, not in the public record, may be made to any member of the
6 Committee. The written decision of the Committee will be submitted to the ACC
7 pursuant to A.R.S. § 40-360.07. Any person intending to be a party before the
8 ACC must be a party to the certification proceedings before the Committee.

9 ORDERED this _____ day of June, 2009.

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John Foreman, Chairman
Arizona Power Plant and
Transmission Line Siting Committee
Assistant Attorney General

Salt River Project – Abel to Moody Transmission Project
List of Attendees Invited to Pre-Filing Procedural
Conference on May 20, 2009

Invited	Affiliation	Attending Yes/No or No Response
Chris Brady	City of Mesa	No
Deborah Spinner	City of Mesa	Craig Marks will attend in her place
George Pettit	Town of Gilbert	Kyle Mieras, Planning and Development Services Manger will attend
John Kross	Town of Queen Creek	Gary Birnbaum or James Braselton
Fredda Bisman	Town of Queen Creek	No
Manny Gonzalez	Pinal County	Lawrence Robertson will attend in his place
James Hogue	State Land Department	No Response
Walt Fix	Phoenix-Mesa Gateway Airport – Director of Planning & Special Projects	Yes Christopher Schmaltz will also be attending
Lynn Kusy	Phoenix-Mesa Gateway Airport	No
Jason Barney	Developer	Yes with Buzz Slaven
Lawrence Robertson	Lawyer/Pinal County	Yes
Scott Wakefield	Lawyer	Yes
Levi Shill	Encantera Development	No
Rebecca Porter	V & P Nurseries QC Niko 1 & W, LLC	No Response

From: "Sundlof Jr., Kenneth C." <sundlof@jsslaw.com>
To: <john.foreman@azag.gov>, "Tara Williams" <Tara.Williams@azag.gov>
Date: 5/20/2009 12:58 PM
Subject: last minute update on attendees

We received a call this afternoon that Rebecca Porter, attorney for V & P Nurseries will attend.

Ken

Kenneth C. Sundlof, Jr.

Attorney at Law

Jennings, Strouss & Salmon, PLC

201 E. Washington Street, 11th Floor

Phoenix, AZ 85004-2385

T: 602.262.5946

F: 602.495.2659

C: 602.618.1907

sundlof@jsslaw.com

www.jsslaw.com

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IRS Circular 230 Disclosure: To comply with requirements imposed by the IRS, we inform you that any tax advice contained herein, including attachments, is not intended or written to be used and cannot be used by a taxpayer to (i) avoid tax penalties or (ii) promote, market or recommend a transaction or matter to another person.

From: Tara Williams
To: Kelly Barr; Kenneth Sundlof
Date: 5/26/2009 3:49 PM
Subject: Abel-Moody Hearing Dates

Mr. Sundlof,

I have checked with the Committee, and all of the dates discussed, July 29th and 30th, the week of August 3rd and the week of August 10th, seem to work for them. The Chairman has recommended that only 3 days be scheduled in any given week. The reason being that the Committee may struggle with getting a quorum as well as retaining 4 consecutive days of information.

If 3 consecutive days are scheduled, the best dates would probably be August 3-5 or 5-7, and any days in the week of August 10th.

Please let me know if you have any questions.

Thank you,
Tara Williams
Assistant
Consumer Protection & Advocacy Section
Office of the Attorney General
Tel: (602) 542-7759
Fax: (602) 542-4377
tara.williams@azag.gov

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From: "Maser, Michele R." <MMaser@jsslaw.com>
To: <john.foreman@azag.gov>, <tara.williams@azag.gov>
Date: 5/28/2009 2:24 PM
Subject: FW: Abel-Moody Transmission Line - Line Siting Case

Mr. Foreman and Ms. Williams,

The following is the email that was sent to the interested parties today regarding the hearing date and continuation dates.

Thank you.

Michele

Michele Irons Maser
Legal Assistant
Jennings, Strouss & Salmon P.L.C.
201 E. Washington Street, 11th Floor
Phoenix, AZ 85004-2385
T: 602.262.5983
F: 602.495.2693

C: 602.463.1082
mmaser@jsslaw.com
www.jsslaw.com <<http://www.jsslaw.com/>>

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From: Maser, Michele R.
Sent: Thursday, May 28, 2009 2:17 PM
To: Christopher A. Schmaltz; Craig A. Marks (craig.marks@azbar.org); Francis J. Slavin; Gary L. Birnbaum (gary.birnbaum@mwmf.com); JAlward@azcc.gov; Jim Braselton; Kyle Mieras; Lawrence V. Robertson, Jr. (TubacLawyer@aol.com); Rebecca Porter (rporter@davismiles.com); Scott S. Wakefield (sswakefield@rhhklaw.com); Walt Fix (wfix@phxmesagaaway.org)
Cc: Sundlof Jr., Kenneth C.; Taylor Robert R (Rob)
Subject: Abel-Moody Transmission Line - Line Siting Case

All,

This is to notify you that the hearing before the Line Siting Committee in the above-referenced matter is scheduled for August 5 through 7th. Public comment will be heard on August 5th starting at 6:00 p.m. The hearing will be held at the ASU Poly Technic Campus (Cooley Ballroom/Student Union).

Mr. Foreman has requested that we provide two possible continuation dates in August and September. Would you please let me know if there are any dates in August or September that you are NOT available. Mr. Foreman is not available August 17 through the 24 or September 18.

Thank you.

Michele Maser

Michele Irons Maser
Legal Assistant
Jennings, Strouss & Salmon P.L.C.
201 E. Washington Street, 11th Floor
Phoenix, AZ 85004-2385
T: 602.262.5983
F: 602.495.2693

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www.jsslaw.com <<http://www.jsslaw.com/>>

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From: "Barr Kelly J" <Kelly.Barr@srpnet.com>
To: "Tara Williams" <Tara.Williams@azag.gov>, "Kenneth Sundlof" <sundlof@jss...
Date: 5/28/2009 3:18 PM
Subject: RE: Abel-Moody Dates

CC: "Taylor Robert R (Rob)" <Rob.Taylor@srpnet.com>
Thanks Tara. We really appreciate your help with this and will get back to you shortly.

-----Original Message-----

From: Tara Williams [mailto:Tara.Williams@azag.gov]
Sent: Thursday, May 28, 2009 1:11 PM
To: Kenneth Sundlof
Cc: Barr Kelly J
Subject: Abel-Moody Dates

Mr. Sundlof,

I have notified the Committee that the hearing will take place August 5th through August 7th. The Chairman has also recommended that possible continuation dates be considered by the parties. The Chairman is unavailable August 17 - 24 and September 18. If you consult with the interested parties and come up with any more dates that the hearing could continue, please let me know.

Thank you,
Tara Williams
Assistant
Consumer Protection & Advocacy Section
Office of the Attorney General
Tel: (602) 542-7759
Fax: (602) 542-4377
tara.williams@azag.gov

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From: Tara Williams
To: Michele R. Maser
Date: 6/3/2009 10:35 AM
Subject: Re: Abel to Moody Transmission Line Project

Thank you Ms. Maser. I will forward the information to the Chairman.

Thank you,
Tara Williams
Assistant
Consumer Protection & Advocacy Section
Office of the Attorney General
Tel: (602) 542-7759
Fax: (602) 542-4377
tara.williams@azag.gov

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>>> "Maser, Michele R." <MMaser@jsslaw.com> 6/3/2009 10:21 AM >>>
Tara,

In follow-up to Mr. Foreman's request, we asked the parties for dates they are available in August and September in the event there is a need to continue the hearing beyond the August 5 through 7 date. Although not all parties responded to me, it appears that August 12, 13, 14, 25, 26, 27, September 8, 15, 16, 17, 22, 23, 24, 25, 29, 30 are available.

If you have any questions or need additional information, please do not hesitate to contact us. Thank you.

Michele

Michele Irons Maser
Legal Assistant
Jennings, Strouss & Salmon P.L.C.
201 E. Washington Street, 11th Floor
Phoenix, AZ 85004-2385
T: 602.262.5983
F: 602.495.2693

C: 602.463.1082
mmaser@jsslaw.com <<mailto:mmaser@jsslaw.com>>
www.jsslaw.com <<http://www.jsslaw.com/>>

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misdirected, or if you suspect you have received this in error, please notify me by replying and then delete both the message and reply. Thank you.

From: Tara Williams
To: George Miller
Date: 6/12/2009 11:57 AM
Subject: Re: SRP Abel-Moody 230kV Transmission Project CEC Application

Mr. Miller,

We received both volumes of the Application earlier along with the documents in Volume II. I have given the binders to the Chairman.

Thank you,
Tara Williams
Assistant
Consumer Protection & Advocacy Section
Office of the Attorney General
Tel: (602) 542-7759
Fax: (602) 542-4377
tara.williams@azag.gov

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>>> "George Miller" <[gmiller@transconusa.com](mailto:gmilller@transconusa.com)> 6/12/2009 11:51 AM >>>
Ms. Williams:

After filing the original and appropriate number of copies with Docket Control this morning, we delivered one copy of the SRP Abel-Moody CEC Application to the front desk of the Arizona Attorney General's Office, 1275 West Washington Street. The copy was addressed to Chairman Foreman.

I would like to point out that copies of the Docket stamped page, Docket receipt, and transmittal letters are located in the front sleeve of Volume II of the Application.

I am hoping that you can reply to this message confirming receipt of the CEC Application document and other materials.

Thanks - please call me directly if you have questions.

George Miller, AICP

Transcon Environmental

3740 E. Southern Avenue, Suite 218

Mesa, Arizona 85206

(office) 480.807.0095

(cell) 480.236.5526

From: Tara Williams
To: Michele R. Maser
Date: 6/12/2009 1:40 PM
Subject: RE: Abel-Moody

Thank you, Michele.

Tara

>>> "Maser, Michele R." <MMaser@jsslaw.com> 6/12/2009 1:34 PM >>>
I will send out an email and get a date for you.

Michele

-----Original Message-----

From: Tara Williams [<mailto:Tara.Williams@azag.gov>]
Sent: Friday, June 12, 2009 12:01 PM
To: Maser, Michele R.
Subject: Abel-Moody

Ms. Maser,

The Chairman would like to set up a date and time for the final pre-hearing conference for Abel-Moody. The Chairman requests that the conference be held a week to 10 days prior to the hearing on August 5th. He will be issuing a Procedural Order that lists the date of the conference after we file the Notice of Hearing. Please let me know which of the following dates would be best for the Applicant and the other parties:

July 24th
July 27th
July 28th
July 29th

If you have any questions, please contact me.

Thank you,
Tara Williams
Assistant
Consumer Protection & Advocacy Section
Office of the Attorney General
Tel: (602) 542-7759
Fax: (602) 542-4377
tara.williams@azag.gov

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From: <tubaclawyer@aol.com>
To: <MMaser@jsslaw.com>
Date: 6/12/2009 3:53 PM
Subject: Re: Abel-Moody Transmission Project

CC: <sundlof@jsslaw.com>, <cschmaltz@gustlaw.com>, <craig.marks@azbar.org>, ...
Michele,

As of this juncture, any of the four (4) indicated days work for me.? With regard to the time aspect of your inquiry, I would prefer any time from 11:00 a.m. on for the day that is ultimately selected.? Any earlier time requires that I leave Tubac in the wee hours of the morning in order to avoid Tucson and Phoenix morning rush hour traffic.?

Larry Robertson

-----Original Message-----

From: Maser, Michele R. <MMaser@jsslaw.com>
To: Christopher A. Schmaltz <cschmaltz@gustlaw.com>; craig.marks@azbar.org;
ejohnson@cc.state.az.us; Francis J. Slavin <b.slavin@fjslegal.com>; gary.birnbaum@mwmf.com;
JAlward@azcc.gov; Jim Braselton <jim.braselton@mwmf.com>; john.foreman@azag.gov; Kyle Mieras
<kylemi@ci.gilbert.az.us>; TubacLawyer@aol.com; rporter@davismiles.com; sswakefield@rhhklaw.com;
wfix@phxmesagateway.org; Jason Barney <jason@jasonbarney.com>; gmiles@davismiles.com
Cc: Sundlof Jr., Kenneth C. <sundlof@jsslaw.com>
Sent: Fri, 12 Jun 2009 1:35 pm
Subject: Abel-Moody Transmission Project

All,

?

The Chairman would like to set up a date and time for the final pre-hearing conference for Abel-Moody. The Chairman requests that the conference be held a week to 10 days prior to the hearing on August 5th. He will be issuing a Procedural Order that lists the date of the conference after the Notice of Hearing is filed. Please let me know which of the following dates would be best for you:?

?

July 24th

July 27th

July 28th

July 29th

?

Michele Irons Maser
Legal Assistant
Jennings, Strouss & Salmon P.L.C.
201 E. Washington Street, 11th Floor
Phoenix, AZ 85004-2385????????

T: 602.262.5983

F: 602.495.2693

C: 602.463.1082

mmaser@jsslaw.com

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?

From: "Craig Marks" <craig.marks@azbar.org>
To: "Maser, Michele R." <MMaser@jsslaw.com>, "Christopher A. Schmaltz" <...
Date: 6/12/2009 4:14 PM
Subject: RE: Abel-Moody Transmission Project
Attachments: Craig A Marks.vcf

CC: "Sundlof Jr., Kenneth C." <sundlof@jsslaw.com>, <Bill.Taebel@mesaaz.go...
Michele,

The ACC has Open Meeting scheduled for the 28th and 29th. I could have something on the agenda, so I would prefer the 24th or the 27th.

Craig

Craig A. Marks
10645 N. Tatum Blvd.
Suite 200-676
Phoenix, AZ 85028
Craig.Marks@azbar.org
(480) 367-1956 Office
(480) 367-1956 Fax
(480) 518-6857 Cell

CraigAMarksPLC.com <<http://craigamarksplc.com/>>

LinkedIn Profile <<http://www.linkedin.com/in/craigamarks>>

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you.

From: Maser, Michele R. [mailto:MMaser@jsslaw.com]
Sent: Friday, June 12, 2009 1:36 PM
To: Christopher A. Schmaltz; craig.marks@azbar.org; ejohnson@cc.state.az.us;
Francis J. Slavin; gary.birnbaum@mwmf.com; JAlward@azcc.gov; Jim Braselton;
john.foreman@azag.gov; Kyle Mieras; TubacLawyer@aol.com;
rporter@davismiles.com; sswakefield@rhhklaw.com; wfix@phxmesagateway.org;
Jason Barney; gmiles@davismiles.com
Cc: Sundlof Jr., Kenneth C.
Subject: Abel-Moody Transmission Project

All,

The Chairman would like to set up a date and time for the final pre-hearing conference for Abel-Moody. The Chairman requests that the conference be held a week to 10 days prior to the hearing on August 5th. He will be issuing a Procedural Order that lists the date of the conference after the Notice of Hearing is filed. Please let me know which of the following dates would be best for you:

July 24th

July 27th

July 28th

July 29th

Michele Irons Maser
Legal Assistant
Jennings, Strouss & Salmon P.L.C.
201 E. Washington Street, 11th Floor
Phoenix, AZ 85004-2385
T: 602.262.5983
F: 602.495.2693

C: 602.463.1082
mmaser@jsslaw.com
<<http://www.jsslaw.com/>> www.jsslaw.com

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From: "Gregory L. Miles" <gmiles@davismiles.com>
To: "JIM BRASELTON" <Jim.Braselton@mwmf.com>, "Maser, Michele R." <MMaser@js...>
Date: 6/15/2009 9:22 AM
Subject: RE: Abel-Moody Transmission Project

CC: "Sundlof Jr., Kenneth C." <sundlof@jsslaw.com>, "Timothy D. Ronan" <tron...>
Michelle:

All of the days are fine for Davis Miles - Greg Miles

Gregory L. Miles
Attorney

davis|miles, PLLC
with offices in Arizona and New Mexico
MAILING ADDRESS
PO Box 15070
Mesa, AZ 85211-3070

PHYSICAL ADDRESS 560 West Brown Rd., 3rd Fl.
Mesa, AZ 85201
Tel: (480) 733-6800
Fax: (480) 733-3748
<http://www.davismiles.com>

-----Original Message-----

From: JIM BRASELTON [mailto:Jim.Braselton@mwmf.com]
Sent: Monday, June 15, 2009 6:58 AM
To: Maser, Michele R.; Christopher A. Schmaltz; craig.marks@azbar.org; ejohnson@cc.state.az.us; Francis J. Slavin; GARY BIRNBAUM; JAlward@azcc.gov; john.foreman@azag.gov; Kyle Mieras; TubacLawyer@aol.com; Rebecca Porter; sswakefield@rhhklaw.com; wfix@phxmesagateway.org; Jason Barney; Gregory L. Miles
Cc: Sundlof Jr., Kenneth C.
Subject: RE: Abel-Moody Transmission Project

Good morning, Michele,

My partner, Gary Birnbaum, and/or I are available on either July 24th (first choice) or July 29th.

Jim

-----Original Message-----

From: Maser, Michele R. [mailto:MMaser@jsslaw.com]
Sent: Fri 6/12/2009 1:35 PM
To: Christopher A. Schmaltz; craig.marks@azbar.org; ejohnson@cc.state.az.us; Francis J. Slavin; GARY BIRNBAUM; JAlward@azcc.gov; JIM BRASELTON; john.foreman@azag.gov; Kyle Mieras; TubacLawyer@aol.com; rporter@davismiles.com; sswakefield@rhhklaw.com; wfix@phxmesagateway.org; Jason Barney; gmiles@davismiles.com

Cc: Sundlof Jr., Kenneth C.
Subject: Abel-Moody Transmission Project

All,

The Chairman would like to set up a date and time for the final pre-hearing conference for Abel-Moody. The Chairman requests that the conference be held a week to 10 days prior to the hearing on August 5th. He will be issuing a Procedural Order that lists the date of the conference after the Notice of Hearing is filed. Please let me know which of the following dates would be best for you:

July 24th

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IRS Circular 230 Disclosure:

To ensure compliance with requirements imposed by the IRS, we inform you that any U.S. tax advice contained in this communication (including any attachments) is not intended or written to be used, and cannot be used, for the purpose of (i) avoiding tax related penalties under the Internal Revenue Code, or (ii) promoting, marketing or recommending to another party any tax-related matters addressed herein.

From: "Walter Fix" <wfix@phxmesagateway.org>
To: <TubacLawyer@aol.com>, <john.foreman@AZAG.GOV>, <craig.marks@azbar.org>, ...
Date: 6/15/2009 10:21 AM
Subject: Re: Abel-Moody Transmission Project

CC: "Kenneth C. Sundlof Jr." <sundlof@jsslaw.com>
Michele,

July 27 (p.m.), 28 & 29 will work for me.

Thank you,

Walter L. Fix, A.A.E.
Director of Planning/Special Projects
Phoenix-Mesa Gateway Airport
5835 South Sossaman Road
Mesa, Arizona 85212
Office: (480) 988-7709
FAX: (480) 988-2315
Email: wfix@phxmesagateway.org

just plane easy.®

>>> "Maser, Michele R." <MMaser@jsslaw.com> 6/12/2009 1:35 PM >>>
All,

The Chairman would like to set up a date and time for the final pre-hearing conference for Abel-Moody. The Chairman requests that the conference be held a week to 10 days prior to the hearing on August 5th. He will be issuing a Procedural Order that lists the date of the conference after the Notice of Hearing is filed. Please let me know which of the following dates would be best for you:

July 24th

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mmaser@jsslaw.com <<mailto:mmaser@jsslaw.com>>

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From: "Brandt Jana K" <Jana.Brandt@srpnet.com>
To: "Tara Williams" <Tara.Williams@azag.gov>
Date: 6/15/2009 11:54 AM
Subject: RE: SRP's Notice of Hearing for the Abel-Moody Project

CC: "Kenneth C. Sundlof Jr." <sundlof@jsslaw.com>, "Taylor Robert R (Rob)" <...
Thanks Tara.

-----Original Message-----

From: Tara Williams [mailto:Tara.Williams@azag.gov]
Sent: Monday, June 15, 2009 11:43 AM
To: Brandt Jana K
Cc: Kenneth C. Sundlof Jr.; Taylor Robert R (Rob)
Subject: Re: SRP's Notice of Hearing for the Abel-Moody Project

Ms. Brandt,

The Chairman is out of the office right now and may not return until tomorrow, but I will have him look over the Notice and get it back to you as soon as he signs it.

Thank you,
Tara Williams
Assistant
Consumer Protection & Advocacy Section
Office of the Attorney General
Tel: (602) 542-7759
Fax: (602) 542-4377
tara.williams@azag.gov

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>>> "Brandt Jana K" <Jana.Brandt@srpnet.com> 6/15/2009 11:38 AM >>>
Tara,

SRP filed its CEC application for the Abel-Moody Project, Case No. 148, on Friday, June 12. I have updated the draft notice of hearing approved as to form by Chairman Foreman on May 20, 2009 at the pre-filing conference to include the actual docket number and case number assigned to our filing, to include the approved hearing dates, updated the ACC website link and corrected some typographical errors.

Please make any additional changes as you deem appropriate. I would appreciate receiving an electronic version of the signed and dated

notice of hearing at your earliest convenience so that we may finalize publication of this notice in the newspapers, currently scheduled for later this week.

Thank you for your assistance.

Jana Brandt

SRP Regulatory Affairs and Contracts

(602) 236-5028

Jana.Brandt@srpnet.com

1 **BEFORE THE ARIZONA POWER PLANT**
2 **AND TRANSMISSION LINE SITING COMMITTEE**

3
4 IN THE MATTER OF THE APPLICATION
5 OF SALT RIVER PROJECT
6 AGRICULTURAL IMPROVEMENT AND
7 POWER DISTRICT, IN CONFORMANCE
8 WITH THE REQUIREMENTS OF
9 ARIZONA REVISED STATUTES,
10 SECTIONS 40-360, et seq., FOR A
11 CERTIFICATE OF ENVIRONMENTAL
12 COMPATIBILITY AUTHORIZING
13 CONSTRUCTION OF A 230 kV DOUBLE-
14 CIRCUIT TRANSMISSION LINE
15 ORIGINATING AT THE PLANNED AND
16 PERMITTED ABEL SUBSTATION, NEAR
17 JUDD AND ATTAWAY ROADS IN PINAL
18 COUNTY, TO THE PLANNED AND
19 PERMITTED RS-17 SUBSTATION,
20 ADJACENT TO THE EXISTING MOODY
21 SUBSTATION, LOCATED NEAR PECOS
22 AND RECKER ROADS, IN THE TOWN OF
23 GILBERT, MARICOPA COUNTY,
24 ARIZONA, AND INCLUDING A NEW
25 230/69 kV SUBSTATION NEAR THE
26 INTERSECTION OF COMBS AND
27 MERIDIAN ROADS, IN OR ADJACENT TO
 THE TOWN OF QUEEN CREEK,
 ARIZONA.

Docket No. L-00000B-09-0311-00148

Case No. 148

18 **NOTICE OF HEARING**

19 A PUBLIC HEARING WILL BE HELD before the Arizona Power Plant and
20 Transmission Line Siting Committee ("Committee") regarding the application of
21 Salt River Project Agricultural Improvement and Power District ("SRP" or
 "Applicant") for a Certificate of Environmental Compatibility authorizing the
 Abel-Moody 230 kV Transmission Project (the "Project").

22 The Project consists of approximately 20 miles of new 230 kV double-circuit
23 transmission line and a 230/69 kV substation (referred to as RS-24) which will be
24 located on approximately 25 acres near the intersection of Combs Road and
 Meridian Road. The Project will be located in the Queen Creek area. A general
 location map of the Applicant's preferred and alternative routes, described herein,
 is attached.

25 The hearing will be held at the ASU Polytechnic Campus, Cooley Ballroom in the
26 Student Union Building, 7001 E. Williams Field Road, Mesa, Arizona 85212,
27 (480) 727-1098. A map and directions to the Campus may be printed at

1 <http://www.poly.asu.edu/union/documents/uniond.pdf>. The hearing is scheduled to
2 begin Wednesday, August 5, 2009 at 9:30 a.m., and to continue as necessary on
3 Thursday, August 6, 2009 and Friday, August 7, 2009, at 9:30 a.m. The hearing
will adjourn at approximately 5:00 p.m. on all days. Additional hearing days, if
necessary, will be noticed on the Applicant and Arizona Corporation Commission
("ACC") websites.

4 The Applicant's website with Project information is:
5 <http://www.azpower.org/abelmoody/>

6 The ACC Website is: http://www.azcc.gov/AZ_Power_Plant/LineSiting-Calendar.asp

7 **PUBLIC COMMENT WILL BE TAKEN AFTER OPENING STATEMENTS**
8 **AND AS PERMITTED BY THE COMMITTEE CHAIRMAN. IN**
9 **ADDITION, A SEPARATE EVENING PUBLIC COMMENT SESSION**
10 **WILL BE HELD AUGUST 5, 2009 AT 6:00 P.M., ALSO AT THE ASU**
11 **POLYTECHNIC CAMPUS, COOLEY BALLROOM IN THE STUDENT**
12 **UNION BUILDING, 7001 E. WILLIAMS FIELD ROAD, MESA, ARIZONA**
13 **85212.**

14 The proposed transmission line alignments in the northwestern section of the
15 Project area begin at the Moody and RS-17 substations at or near the intersection of
16 Recker Road and the Union Pacific Railroad on the north and ends near the
17 intersection of Meridian Road and the Union Pacific Railroad on the south, near the
18 southeast corner of the Town of Queen Creek. The southern section continues
19 from the Meridian Road intersection south to the Abel Substation site. There are
20 four proposed alignments in the northern section, some of which contain minor
21 variations. There are three proposed alignments in the southern section.

22 Northern Section:

23 (1) Ryan Alignment (Preferred) – The Applicant's preferred alignment begins near
24 the Moody 69kV Substation site along the RWCD canal with an interconnection
25 into the existing Santan-Schrader 230kV line along the canal (Nodes 1-2). The
26 alignment then follows the Union Pacific Railroad ("UPRR") right-of-way parallel
27 to an existing 69kV line southeast to Ryan Road (Nodes 2-43-11). The alignment
then parallels Ryan Road to the east until it intersects Signal Butte Road (Nodes
11-12-13), turns south to the UPRR (Nodes 13-24) and parallels the UPRR to the
southeast (Nodes 24-27). The Ryan alignment contains one sub-alternative that
utilizes Meridian Road, rather than Signal Butte Road. This sub-alternative
continues one-mile east on the Ryan alignment, then turns south along Meridian
Road to the UPRR (Nodes 13-14-27). The Meridian sub-alternative is not part of
the Applicant's preferred alignment.

(2) Germann Alignment (Alternative) – This alternative alignment begins near the
Moody 69kV Substation site along the RWCD canal with an interconnection into
the existing Santan-Schrader 230kV Transmission Line along the canal (Nodes 1-
2). The alignment then follows the UPRR right-of-way southeast to Germann Road
(Nodes 2-43). The alignment then parallels Germann Road to the east until it
intersects Signal Butte Road (Nodes 43-7-8), turns south to the UPRR and parallels
the UPRR to Node 27 (Nodes 8-13-24-27). The Germann alignment contains a
sub-alternative that parallels Meridian Road rather than Signal Butte Road. This
sub-alternative continues one-mile east on the Germann alignment, then turns south

along Meridian Road to the UPRR (Nodes 8-9-14-27).

(3) North-Railroad Alignment (Alternative) – This alternative alignment begins near the Moody 69kV Substation site along the RWCD canal with an interconnection into the existing Santan-Schrader 230kV Transmission Line along the canal (Nodes 1-2) and builds new structures parallel to, then follows the UPRR right-of-way from the RWCD canal to Combs Road (Nodes 2-43-11-24-27).

(4) Ocotillo Alignment (Alternative) – This alternative alignment begins with an interconnection into the existing Santan-Schrader 230kV line along the RWCD canal at Queen Creek Road (Node 16). The alignment continues south, adjacent to the RWCD canal to Ocotillo Road (Nodes 16-87). At Ocotillo Road, the alignment turns east to Sonoqui Wash and follows the wash southeast to the intersection with Riggs Road (Nodes 87-88-81-79). The alignment then continues east to the UPRR and Combs Road intersection (Nodes 79-27). Two sub-alternatives exist within this alternative. One extends east from the existing SRP Santan-Schrader 230kV Transmission Line along the RWCD canal using existing structures and conductor to Queen Creek Road (Node 16) and builds new structures east along Queen Creek Road, south along Higley Road to Ocotillo Road (Nodes 16-17-88). Another sub-alternative extends from Ocotillo south along Power Road to Riggs Road and then east (Nodes 81-51-79). This sub-alternative bypasses the Sonoqui Wash.

Southern Section:

(1) South-Railroad Alignment (Preferred) – The Applicant's preferred alignment parallels the UPRR right-of-way from Meridian Road southeast to the intersection of the Magma Railroad right-of-way (Nodes 27-62-98). It then continues northeast along the Magma Railroad right-of-way to the Abel Substation site (Nodes 98-36).

(2) Combs Alignment (Alternative) – This alternative alignment begins at the UPRR at Meridian Road and continues east along Combs Road to Schnepf Road (Nodes 27-61). The alignment then follows Schnepf Road south to Skyline Road (Nodes 61-63). From Skyline Road, it continues east to Quail Run Lane before extending south to Judd Road (Nodes 63-66-35). At Judd Road, the route turns east to the Abel Substation site (Nodes 35-36).

(3) Skyline Alignment (Alternative) – This alternative alignment parallels the UPRR from Meridian Road southeast to Skyline Road and then departs from the UPRR at the intersection of Skyline Road (Nodes 27-62). The alignment continues east to Quail Run Lane before continuing south to Judd Road (Nodes 62-63-66-35). At Judd Road the route turns east to the Abel Substation site (Nodes 35-36).

More complete maps, along with more detailed textual descriptions of the proposed routes are available in the Application and on the Applicant's website.

The Application that includes detailed maps of the proposed Project is on file with the Docket Control Center of the ACC, 1200 West Washington Street, Suite 108, Phoenix Arizona, 85007. Copies of the Application and Transcripts will also be available for inspection at the following locations:

Southeast Regional Library (Maricopa County): 775 N. Greenfield Rd., Gilbert, AZ 85234

Queen Creek Branch Library: 21802 S. Ellsworth Rd., Queen Creek, AZ 85242

1 Florence Library: 1000 S. Main St., Florence, AZ 85232

2 The Committee may conduct a tour of the Project area and the proposed routes –
3 most likely to occur on August 6, 2009 starting at 8:30 a.m. If a tour is conducted,
4 a map and itinerary for the tour will be available at the hearings. Members of the
5 public may follow the Committee in their own private vehicles. During the tour,
6 the Committee may hear brief testimony at stops on the tour from one or more
7 witnesses concerning where the stops are located, what is visible at the stops and
8 the relevance of the location and view to the proposed routes of the transmission
9 line in the Application. No other discussion or deliberation concerning the
10 Application will occur. A court reporter will transcribe any testimony taken on the
11 tour.

12 Depending on the issues raised and the number of intervenors appearing during the
13 hearing, the Committee may deem it appropriate at some point to recess the hearing
14 to a time and place to be announced during the hearing, or to be determined after
15 the recess, at which time and place the hearing will be resumed. These dates and
16 places will be posted on the Project and ACC websites. At the discretion of the
17 Committee, such resumed hearings may be held at a date, time and place
18 designated by the Committee or its Chairman.

19 **NOTE: NOTICE OF SUCH RESUMED HEARING WILL BE GIVEN.**
20 **PUBLISHED NOTICE OF SUCH RESUMED HEARING IS NOT**
21 **REQUIRED.**

22 Each county and municipal government and state agency interested in the proposed
23 Project and desiring to become a party in the proceeding must file with the Arizona
24 Corporation Commission, 1200 West Washington Street, Phoenix, Arizona 85007,
25 a notice of its intent to be a party. That notice must be filed not less than ten (10)
26 days before the date set for hearing.

27 Any domestic, non-profit corporation or association, formed in whole or in part to
promote conservation or natural beauty, to protect the environment, personal health
or other biological values, to preserve historical sites, to promote customer
interests, to represent commercial and industrial groups, or to promote the orderly
development of the area in which the Project is to be located and desiring to
become a party to the certification proceedings must file with the ACC, 1200 West
Washington Street, Phoenix, Arizona 85007, notice of its intent to be a party. That
notice must be filed not less than ten (10) days before the date set for hearing.

The Committee or its Chairman, at any time deemed appropriate, may make other
persons parties to the proceeding.

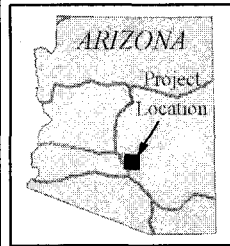
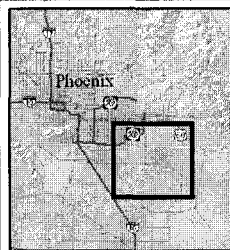
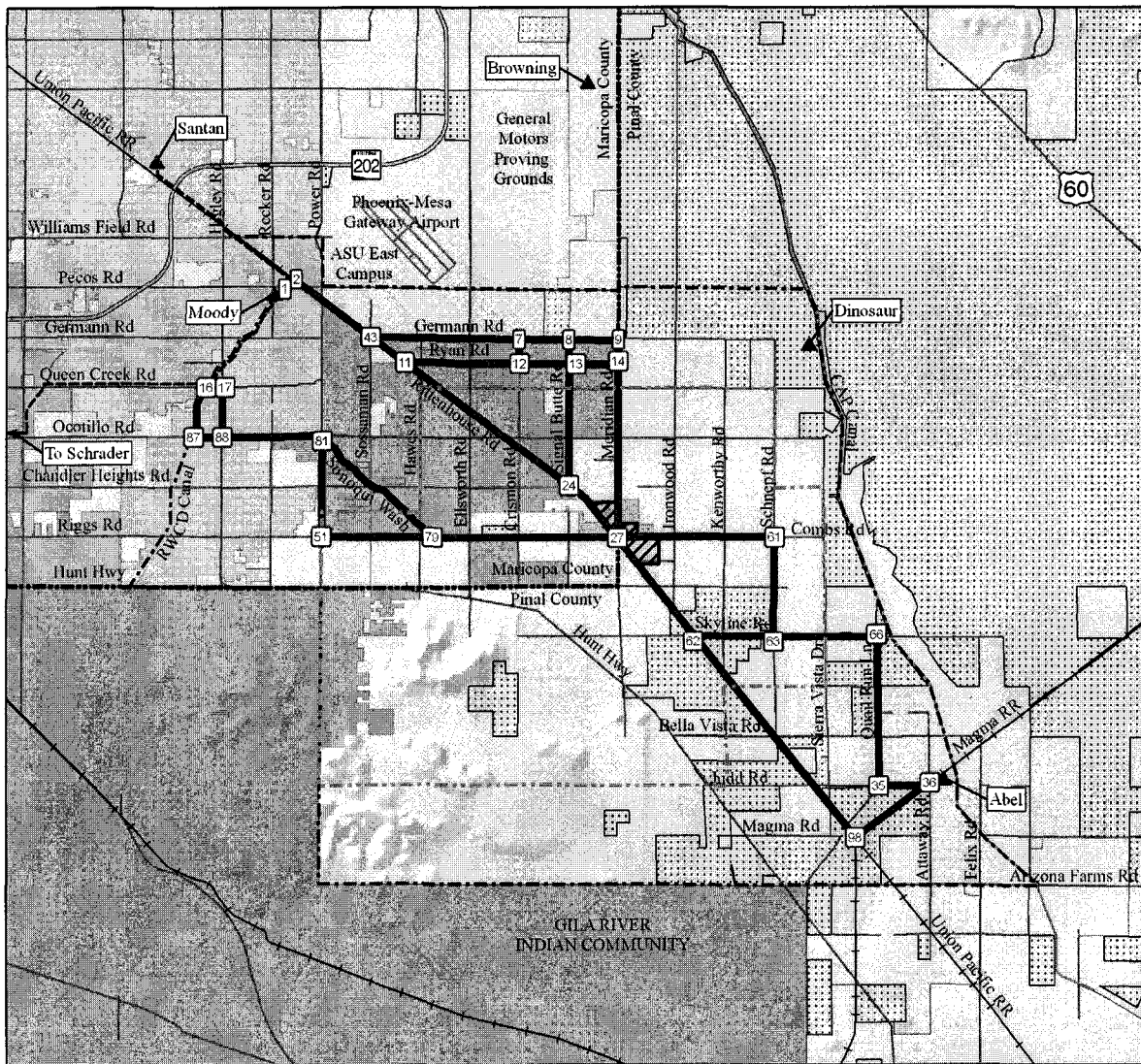
Any person may make a limited appearance at a hearing by filing a statement in
writing with the ACC, 1200 West Washington Street, Phoenix, Arizona 85007, not
less than five (5) days before a date set for hearing. A person making a limited
appearance shall not be a party or have the right to present testimony or cross-
examine witnesses.

This proceeding is governed by Arizona Revised Statutes (A.R.S.) §§ 40-360 to 40-
360.13 and Arizona Administrative Code R14-3-201 to R14-3-219. No substantive
communication, not in the public record, may be made to any member of the
Committee. The written decision of the Committee will be submitted to the ACC
pursuant to A.R.S. § 40-360.07. Any person intending to be a party before the

1 ACC must be a party to the certification proceedings before the Committee.

2 ORDERED this _____ day of June, 2009.

3
4 John Foreman, Chairman
5 Arizona Power Plant and
6 Transmission Line Siting Committee
7 Assistant Attorney General
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Legend

- Project Study Area
- RS-24 Service Area
- Alternative Alignments
- Preferred Alignment
- Substations
- Nodes
- RS-24 Potential Substation Sites
- Santan-Schrader 230kV Transmission Line
- Town of Gilbert
- City of Mesa
- Town of Queen Creek
- Town of Florence
- City of Chandler
- Unincorporated County
- Gila River Indian Community
- State Trust Land

Project Area Abel-Moody 230kV Transmission Project



0 2 4 Miles



From: Tara Williams
To: Michele R. Maser
Date: 6/16/2009 8:08 AM
Subject: Re: Abel-Moody Transmission Project

Good Morning Michele,

I'm checking with a couple of people about Mr. Rasmussen. I'll get back to you as soon as I hear from them.

Thank you,
Tara Williams
Assistant
Consumer Protection & Advocacy Section
Office of the Attorney General
Tel: (602) 542-7759
Fax: (602) 542-4377
tara.williams@azag.gov

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>>> "Maser, Michele R." <MMaser@jsslaw.com> 6/16/2009 7:18 AM >>>
Good Morning Tara,

It is my understanding that Mr. Rasmussen requires a special chair for the hearings. Do you have any information regarding what type of chair and if not, do you know who I should contact to find out. Thanks.

Michele

Michele Irons Maser
Legal Assistant
Jennings, Strouss & Salmon P.L.C.
201 E. Washington Street, 11th Floor
Phoenix, AZ 85004-2385
T: 602.262.5983
F: 602.495.2693

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From: Tara Williams
To: Michele R. Maser
Date: 6/16/2009 8:50 AM
Subject: Re: Abel-Moody Transmission Project - Final Pre-Hearing Conference

Michele,

I have scheduled the Chairman for a pre-hearing conference on July 24th at 2 PM to be held here, at 1275 W Washington. Please inform the parties and schedule a court reporter for that time. Let me know if you have any questions.

Thank you,
Tara Williams
Assistant
Consumer Protection & Advocacy Section
Office of the Attorney General
Tel: (602) 542-7759
Fax: (602) 542-4377
tara.williams@azag.gov

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>>> "Maser, Michele R." <MMaser@jsslaw.com> 6/15/2009 4:33 PM >>>
Hi Tara,

Based upon the responses I have received, we would like to schedule the final pre-hearing conference for July 24th. Pursuant to a request from Larry Robertson, if the conference could be scheduled around 11:00 a.m. or after that would be better for him since he is traveling from Tucson.

Let me know if you have any questions. Thank you.

Michele

Michele Irons Maser
Legal Assistant
Jennings, Strouss & Salmon P.L.C.
201 E. Washington Street, 11th Floor
Phoenix, AZ 85004-2385
T: 602.262.5983
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From: Tara Williams
To: Brandt Jana K
Date: 6/16/2009 9:31 AM
Subject: RE: SRP's Notice of Hearing for the Abel-Moody Project
Attachments: signed NOH.pdf

CC: Kenneth C. Sundlof Jr.; Taylor Robert R (Rob)
Ms. Brandt,

I have attached the signed Notice of Hearing. I will be taking it over to the Commission for docketing in a few minutes. Please let me know if you need anything else.

Thank you,
Tara Williams
Assistant
Consumer Protection & Advocacy Section
Office of the Attorney General
Tel: (602) 542-7759
Fax: (602) 542-4377
tara.williams@azag.gov

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>>> "Brandt Jana K" <Jana.Brandt@srpnet.com> 6/15/2009 11:54 AM >>>
Thanks Tara.

-----Original Message-----

From: Tara Williams [<mailto:Tara.Williams@azag.gov>]
Sent: Monday, June 15, 2009 11:43 AM
To: Brandt Jana K
Cc: Kenneth C. Sundlof Jr.; Taylor Robert R (Rob)
Subject: Re: SRP's Notice of Hearing for the Abel-Moody Project

Ms. Brandt,

The Chairman is out of the office right now and may not return until tomorrow, but I will have him look over the Notice and get it back to you as soon as he signs it.

Thank you,
Tara Williams
Assistant
Consumer Protection & Advocacy Section
Office of the Attorney General
Tel: (602) 542-7759
Fax: (602) 542-4377
tara.williams@azag.gov

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>>> "Brandt Jana K" <Jana.Brandt@srpnet.com> 6/15/2009 11:38 AM >>>
Tara,

SRP filed its CEC application for the Abel-Moody Project, Case No. 148, on Friday, June 12. I have updated the draft notice of hearing approved as to form by Chairman Foreman on May 20, 2009 at the pre-filing conference to include the actual docket number and case number assigned to our filing, to include the approved hearing dates, updated the ACC website link and corrected some typographical errors.

Please make any additional changes as you deem appropriate. I would appreciate receiving an electronic version of the signed and dated notice of hearing at your earliest convenience so that we may finalize publication of this notice in the newspapers, currently scheduled for later this week.

Thank you for your assistance.

Jana Brandt

SRP Regulatory Affairs and Contracts

(602) 236-5028

Jana.Brandt@srpnet.com

1 **BEFORE THE ARIZONA POWER PLANT**
2 **AND TRANSMISSION LINE SITING COMMITTEE**

3
4 IN THE MATTER OF THE APPLICATION OF
5 SALT RIVER PROJECT AGRICULTURAL
6 IMPROVEMENT AND POWER DISTRICT, IN
7 CONFORMANCE WITH THE REQUIREMENTS
8 OF ARIZONA REVISED STATUTES, SECTIONS
9 40-360, et seq., FOR A CERTIFICATE OF
10 ENVIRONMENTAL COMPATIBILITY
11 AUTHORIZING CONSTRUCTION OF A 230 kV
12 DOUBLE-CIRCUIT TRANSMISSION LINE
13 ORIGINATING AT THE PLANNED AND
14 PERMITTED ABEL SUBSTATION, NEAR JUDD
15 AND ATTAWAY ROADS IN PINAL COUNTY,
16 TO THE PLANNED AND PERMITTED RS-17
17 SUBSTATION, ADJACENT TO THE EXISTING
18 MOODY SUBSTATION, LOCATED NEAR
19 PECOS AND RECKER ROADS, IN THE TOWN
20 OF GILBERT, MARICOPA COUNTY,
21 ARIZONA, AND INCLUDING A NEW 230/69 kV
22 SUBSTATION NEAR THE INTERSECTION OF
23 COMBS AND MERIDIAN ROADS, IN OR
24 ADJACENT TO THE TOWN OF QUEEN
25 CREEK, ARIZONA.

Docket No. L-00000B-09-0311-00148

Case No. 148

16 **NOTICE OF HEARING**

17 A PUBLIC HEARING WILL BE HELD before the Arizona Power Plant and Transmission Line
18 Siting Committee ("Committee") regarding the application of Salt River Project Agricultural
19 Improvement and Power District ("SRP" or "Applicant") for a Certificate of Environmental
20 Compatibility authorizing the Abel-Moody 230 kV Transmission Project (the "Project").

21 The Project consists of approximately 20 miles of new 230 kV double-circuit transmission line
22 and a 230/69 kV substation (referred to as RS-24) which will be located on approximately 25
23 acres near the intersection of Combs Road and Meridian Road. The Project will be located in the
24 Queen Creek area. A general location map of the Applicant's preferred and alternative routes,
25 described herein, is attached.

26 The hearing will be held at the ASU Polytechnic Campus, Cooley Ballroom in the Student Union
27 Building, 7001 E. Williams Field Road, Mesa, Arizona 85212, (480) 727-1098. A map and
28 directions to the Campus may be printed at <http://www.poly.asu.edu/union/documents/unionond.pdf>.
29 The hearing is scheduled to begin Wednesday, August 5, 2009 at 9:30 a.m., and to continue as
30 necessary on Thursday, August 6, 2009 and Friday, August 7, 2009, at 9:30 a.m. The hearing will
31 adjourn at approximately 5:00 p.m. on all days. Additional hearing days, if necessary, will be
32 noticed on the Applicant and Arizona Corporation Commission ("ACC") websites.

33 The Applicant's website with Project information is: <http://www.azpower.org/abelmoody/>

The ACC Website is: http://www.azcc.gov/AZ_Power_Plant/LineSiting-Calendar.asp

PUBLIC COMMENT WILL BE TAKEN AFTER OPENING STATEMENTS AND AS PERMITTED BY THE COMMITTEE CHAIRMAN. IN ADDITION, A SEPARATE EVENING PUBLIC COMMENT SESSION WILL BE HELD AUGUST 5, 2009 AT 6:00 P.M., ALSO AT THE ASU POLYTECHNIC CAMPUS, COOLEY BALLROOM IN THE STUDENT UNION BUILDING, 7001 E. WILLIAMS FIELD ROAD, MESA, ARIZONA 85212.

The proposed transmission line alignments in the northwestern section of the Project area begin at the Moody and RS-17 substations at or near the intersection of Recker Road and the Union Pacific Railroad on the north and ends near the intersection of Meridian Road and the Union Pacific Railroad on the south, near the southeast corner of the Town of Queen Creek. The southern section continues from the Meridian Road intersection south to the Abel Substation site. There are four proposed alignments in the northern section, some of which contain minor variations. There are three proposed alignments in the southern section.

Northern Section:

(1) Ryan Alignment (Preferred) – The Applicant's preferred alignment begins near the Moody 69kV Substation site along the RWCD canal with an interconnection into the existing Santan-Schrader 230kV line along the canal (Nodes 1-2). The alignment then follows the Union Pacific Railroad ("UPRR") right-of-way parallel to an existing 69kV line southeast to Ryan Road (Nodes 2-43-11). The alignment then parallels Ryan Road to the east until it intersects Signal Butte Road (Nodes 11-12-13), turns south to the UPRR (Nodes 13-24) and parallels the UPRR to the southeast (Nodes 24-27). The Ryan alignment contains one sub-alternative that utilizes Meridian Road, rather than Signal Butte Road. This sub-alternative continues one-mile east on the Ryan alignment, then turns south along Meridian Road to the UPRR (Nodes 13-14-27). The Meridian sub-alternative is not part of the Applicant's preferred alignment.

(2) Germann Alignment (Alternative) – This alternative alignment begins near the Moody 69kV Substation site along the RWCD canal with an interconnection into the existing Santan-Schrader 230kV Transmission Line along the canal (Nodes 1-2). The alignment then follows the UPRR right-of-way southeast to Germann Road (Nodes 2-43). The alignment then parallels Germann Road to the east until it intersects Signal Butte Road (Nodes 43-7-8), turns south to the UPRR and parallels the UPRR to Node 27 (Nodes 8-13-24-27). The Germann alignment contains a sub-alternative that parallels Meridian Road rather than Signal Butte Road. This sub-alternative continues one-mile east on the Germann alignment, then turns south along Meridian Road to the UPRR (Nodes 8-9-14-27).

(3) North-Railroad Alignment (Alternative) – This alternative alignment begins near the Moody 69kV Substation site along the RWCD canal with an interconnection into the existing Santan-Schrader 230kV Transmission Line along the canal (Nodes 1-2) and builds new structures parallel to, then follows the UPRR right-of-way from the RWCD canal to Combs Road (Nodes 2-43-11-24-27).

(4) Ocotillo Alignment (Alternative) – This alternative alignment begins with an interconnection into the existing Santan-Schrader 230kV line along the RWCD canal at Queen Creek Road (Node 16). The alignment continues south, adjacent to the RWCD canal to Ocotillo Road (Nodes 16-87). At Ocotillo Road, the alignment turns east to Sonoqui Wash and follows the wash southeast to the intersection with Riggs Road (Nodes 87-88-81-79). The alignment then continues east to the UPRR and Combs Road intersection (Nodes 79-27). Two sub-alternatives exist within this

alternative. One extends east from the existing SRP Santan-Schrader 230kV Transmission Line along the RWCD canal using existing structures and conductor to Queen Creek Road (Node 16) and builds new structures east along Queen Creek Road, south along Higley Road to Ocotillo Road (Nodes 16-17-88). Another sub-alternative extends from Ocotillo south along Power Road to Riggs Road and then east (Nodes 81-51-79). This sub-alternative bypasses the Sonoqui Wash.

Southern Section:

(1) South-Railroad Alignment (Preferred) – The Applicant's preferred alignment parallels the UPRR right-of-way from Meridian Road southeast to the intersection of the Magma Railroad right-of-way (Nodes 27-62-98). It then continues northeast along the Magma Railroad right-of-way to the Abel Substation site (Nodes 98-36).

(2) Combs Alignment (Alternative) – This alternative alignment begins at the UPRR at Meridian Road and continues east along Combs Road to Schnepf Road (Nodes 27-61). The alignment then follows Schnepf Road south to Skyline Road (Nodes 61-63). From Skyline Road, it continues east to Quail Run Lane before extending south to Judd Road (Nodes 63-66-35). At Judd Road, the route turns east to the Abel Substation site (Nodes 35-36).

(3) Skyline Alignment (Alternative) – This alternative alignment parallels the UPRR from Meridian Road southeast to Skyline Road and then departs from the UPRR at the intersection of Skyline Road (Nodes 27-62). The alignment continues east to Quail Run Lane before continuing south to Judd Road (Nodes 62-63-66-35). At Judd Road the route turns east to the Abel Substation site (Nodes 35-36).

More complete maps, along with more detailed textual descriptions of the proposed routes are available in the Application and on the Applicant's website.

The Application that includes detailed maps of the proposed Project is on file with the Docket Control Center of the ACC, 1200 West Washington Street, Suite 108, Phoenix Arizona, 85007. Copies of the Application and Transcripts will also be available for inspection at the following locations:

Southeast Regional Library (Maricopa County): 775 N. Greenfield Rd., Gilbert, AZ 85234

Queen Creek Branch Library: 21802 S. Ellsworth Rd., Queen Creek, AZ 85242

Florence Library: 1000 S. Main St., Florence, AZ 85232

The Committee may conduct a tour of the Project area and the proposed routes – most likely to occur on August 6, 2009 starting at 8:30 a.m. If a tour is conducted, a map and itinerary for the tour will be available at the hearings. Members of the public may follow the Committee in their own private vehicles. During the tour, the Committee may hear brief testimony at stops on the tour from one or more witnesses concerning where the stops are located, what is visible at the stops and the relevance of the location and view to the proposed routes of the transmission line in the Application. No other discussion or deliberation concerning the Application will occur. A court reporter will transcribe any testimony taken on the tour.

Depending on the issues raised and the number of intervenors appearing during the hearing, the Committee may deem it appropriate at some point to recess the hearing to a time and place to be announced during the hearing, or to be determined after the recess, at which time and place the hearing will be resumed. These dates and places will be posted on the Project and ACC websites.

1 At the discretion of the Committee, such resumed hearings may be held at a date, time and place
2 designated by the Committee or its Chairman.

3 **NOTE: NOTICE OF SUCH RESUMED HEARING WILL BE GIVEN. PUBLISHED**
4 **NOTICE OF SUCH RESUMED HEARING IS NOT REQUIRED.**

5 Each county and municipal government and state agency interested in the proposed Project and
6 desiring to become a party in the proceeding must file with the Arizona Corporation Commission,
1200 West Washington Street, Phoenix, Arizona 85007, a notice of its intent to be a party. That
notice must be filed not less than ten (10) days before the date set for hearing.

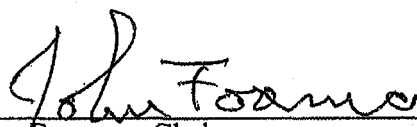
7 Any domestic, non-profit corporation or association, formed in whole or in part to promote
8 conservation or natural beauty, to protect the environment, personal health or other biological
values, to preserve historical sites, to promote customer interests, to represent commercial and
9 industrial groups, or to promote the orderly development of the area in which the Project is to be
located and desiring to become a party to the certification proceedings must file with the ACC,
10 1200 West Washington Street, Phoenix, Arizona 85007, notice of its intent to be a party. That
notice must be filed not less than ten (10) days before the date set for hearing.

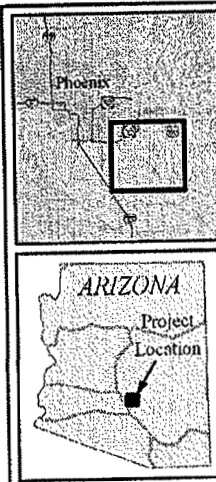
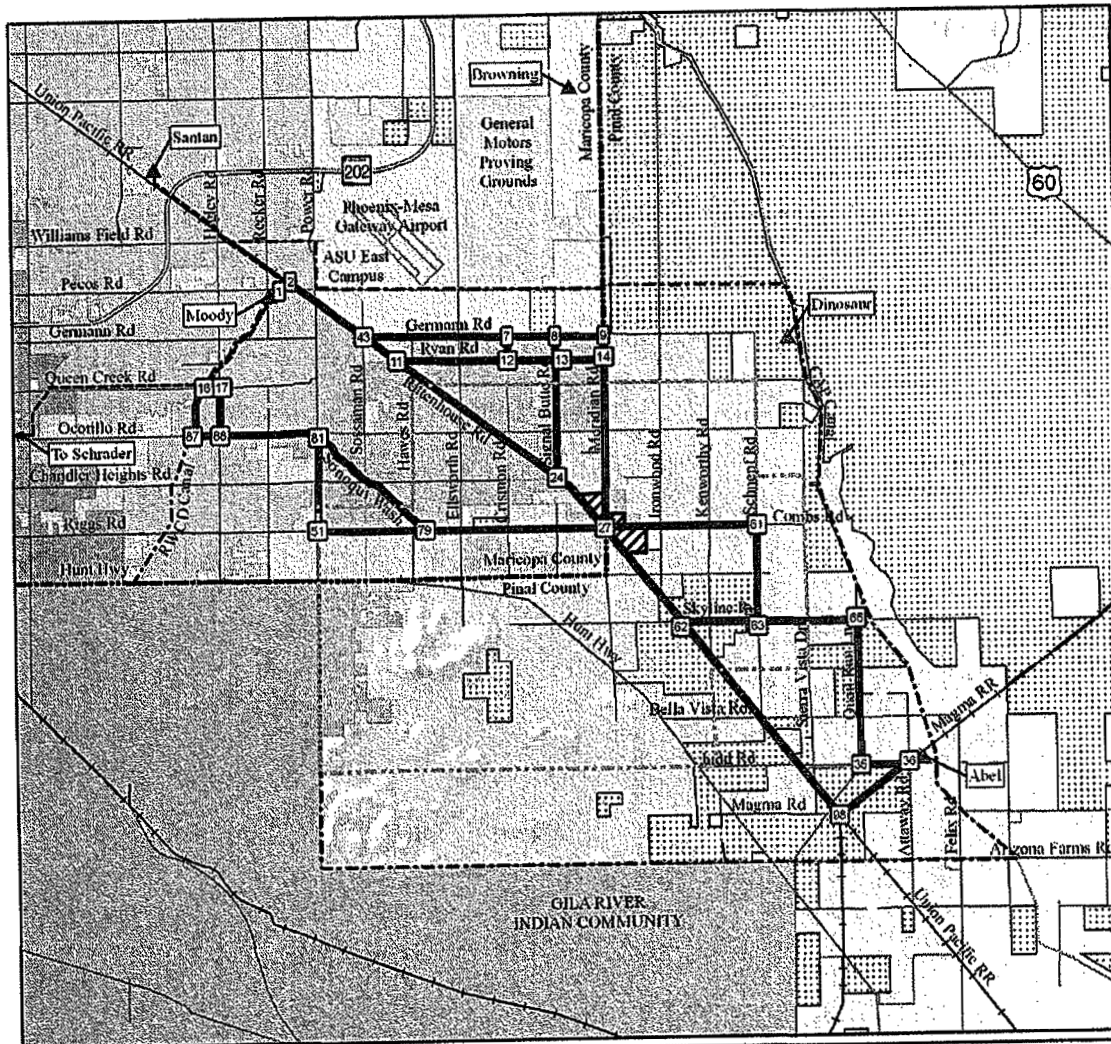
11 The Committee or its Chairman, at any time deemed appropriate, may make other persons parties
12 to the proceeding.

13 Any person may make a limited appearance at a hearing by filing a statement in writing with the
ACC, 1200 West Washington Street, Phoenix, Arizona 85007, not less than five (5) days before a
14 date set for hearing. A person making a limited appearance shall not be a party or have the right
to present testimony or cross-examine witnesses.

15 This proceeding is governed by Arizona Revised Statutes (A.R.S.) §§ 40-360 to 40-360.13 and
16 Arizona Administrative Code R14-3-201 to R14-3-219. No substantive communication, not in
the public record, may be made to any member of the Committee. The written decision of the
17 Committee will be submitted to the ACC pursuant to A.R.S. § 40-360.07. Any person intending
to be a party before the ACC must be a party to the certification proceedings before the
18 Committee.

19 ORDERED this 16th day of June, 2009.

20 
21 John Foreman, Chairman
22 Arizona Power Plant and
23 Transmission Line Siting Committee
24 Assistant Attorney General
25
26
27



Legend

- Project Study Area
- RS-24 Service Area
- Alternative Alignments
- Preferred Alignment
- Substations
- Nodes
- RS-24 Potential Substation Sites
- Santan-Schrader 230kV Transmission Line
- Town of Gilbert
- City of Mesa
- Town of Queen Creek
- Town of Florence
- City of Chandler
- Unincorporated County
- Gila River Indian Community
- State Trust Land

Project Area Abel-Moody 230kV Transmission Project



0 2 4 Miles



From: "Maser, Michele R." <MMaser@jsslaw.com>
To: "Tara Williams" <Tara.Williams@azag.gov>
Date: 6/16/2009 3:35 PM
Subject: RE: Abel - Moody - Case No. 148

Hi Tara,

Thank you. The attorney's name is Christopher Schmaltz. I will let you know if anyone else requests to participate by telephone.

Michele

-----Original Message-----

From: Tara Williams [mailto:Tara.Williams@azag.gov]
Sent: Tuesday, June 16, 2009 3:18 PM
To: Maser, Michele R.
Subject: RE: Abel - Moody - Case No. 148

Michele,

The Chairman grants his request. At 2:00 PM that day, have him call (602) 542-7704. This will transfer him directly to the conference room. If anyone else requests to attend via phone, please let me know.

Thank you,
Tara Williams
Assistant
Consumer Protection & Advocacy Section
Office of the Attorney General
Tel: (602) 542-7759
Fax: (602) 542-4377
tara.williams@azag.gov

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>>> "Maser, Michele R." <MMaser@jsslaw.com> 6/16/2009 3:11 PM >>>
He is an attorney for a possible intervenor.

-----Original Message-----

From: Tara Williams [mailto:Tara.Williams@azag.gov]
Sent: Tuesday, June 16, 2009 3:09 PM
To: Maser, Michele R.
Subject: Re: Abel - Moody - Case No. 148

Is it a possible intervenor?

Tara

>>> "Maser, Michele R." <MMaser@jsslaw.com> 6/16/2009 3:01 PM >>>
Tara,

One of the attorneys that will be participating in this case has inquired whether he can participate by telephone as I believe he will be out of town that day. Is that a possibility?

Michele

Michele Irons Maser
Legal Assistant
Jennings, Strouss & Salmon P.L.C.
201 E. Washington Street, 11th Floor
Phoenix, AZ 85004-2385
T: 602.262.5983
F: 602.495.2693

C: 602.463.1082
mmaser@jsslaw.com <mailto:mmaser@jsslaw.com>
www.jsslaw.com <http://www.jsslaw.com/>

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From: <TubacLawyer@aol.com>
To: <John.Foreman@AZAG.GOV>
Date: 6/16/2009 3:58 PM
Subject: Abel-Moody Transmission Project - Notice of Intent To Be a Party
Attachments: Pinal County Notice of Intent to be a Party Case 148.pdf

CC: <MMaser@jsslaw.com>, <cschmaltz@gustlaw.com>, <craig.marks@azbar.org>, <...
To All:

The original and twenty-five (25) copies of the attached Notice of Intent to be a Party was mailed today to the Arizona Corporation Commission's Docket Control in Phoenix for filing in Docket No. L-00000B-09-0311-00148.

If you have any questions please feel free to contact me.

Angela R. Trujillo
Secretary
Lawrence V. Robertson, Jr.

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Steps!

(<http://pr.atwola.com/promoclk/100126575x1221823265x1201398681/aol?redir=http://www.freecreditreport.com/pm/default.aspx?sc=668072&hmpgID=62&bcd=JuneExcfooterNO62>)

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BEFORE THE ARIZONA POWER PLANT AND
TRANSMISSION LINE SITING COMMITTEE

IN THE MATTER OF THE APPLICATION OF)
SALT RIVER PROJECT AGRICULTURAL)
IMPROVEMENT AND POWER DISTRICT, IN)
CONFORMANCE WITH THE REQUIREMENTS)
OF ARIZONA REVISED STATUTES, SECTIONS)
40-360 et seq., FOR A CERTIFICATE OF)
ENVIRONMENTAL COMPATIBILITY)
AUTHORIZING CONSTRUCTION OF A 230 kV) Docket No. L-00000B-09-0311-00148
DOUBLE-CIRCUIT TRANSMISSION LINE)
ORIGINATING AT THE PLANNED AND) Case No. 148
PERMITTED ABEL SUBSTATION, NEAR JUDD)
AND ATTAWAY ROADS IN PINAL COUNTY,) NOTICE OF INTENT
TO THE PLANNED AND PERMITTED RS-17) TO BE A PARTY
SUBSTATION, ADJACENT TO THE EXISTING)
MOODY SUBSTATION, LOCATED NEAR)
PECOS AND RECKER ROADS, IN THE TOWN)
OF GILBERT, MARICOPA COUNTY,)
ARIZONA, INCLUDING A NEW 230/69 kV)
SUBSTATION NEAR THE INTERSECTION OF)
COMBS AND MERIDIAN ROADS, IN OR)
ADJACENT TO THE TOWN OF QUEEN CREEK,)
ARIZONA)

Pursuant to A.R.S. § 40-360.05(A)(2), Pinal County, Arizona ("Pinal County") hereby
files its Notice Of Intent To Be A Party in the above-captioned and above-docketed proceeding.

Dated this 16th of June 2009.

Respectfully submitted,

Lawrence V. Robertson, Jr.

Lawrence V. Robertson, Jr.

Arizona Bar No. 001709

Tubaclawyer@aol.com

P. O. Box 1448

2247 E. Frontage Road

Tubac, Arizona 85646

Telephone: (520) 398-0411

Fax: (520) 398-0412

Attorney for Pinal County, Arizona

LAWRENCE V. ROBERTSON, JR.
ATTORNEY AT LAW
P.O. Box 1448
Tubac, Arizona 85646
(520) 398-0411

1 Pursuant to A.A.C. R14-3-204, the original
2 and twenty-five (25) copies of the foregoing Notice
will be mailed for filing this 16th day of June 2009 to:

3 Docket Control
4 Arizona Corporation Commission
5 1200 West Washington Street
Phoenix, Arizona 85007

6 A copy of the foregoing Notice will
7 be emailed or mailed this same date to:

8 John Foreman
9 Assistant Arizona Attorney General
10 Chairman, Arizona Power Plant and
Transmission Line Siting Committee
11 1275 W. Washington
Phoenix, AZ 85007

12 Janice Alward, Chief Counsel
13 Legal Division
14 Arizona Corporation Commission
1200 West Washington Street
Phoenix, Arizona 85007

15 Kenneth C. Sundlof, Jr.
16 Attorney at Law
17 Jennings, Strouss & Salmon, PLC
201 E. Washington Street, 11th Floor
Phoenix, AZ 85004-2385

18 Manny T. Gonzalez
19 Assistant County Manager
20 Pinal County
21 Administrative Services
22 P. O. Box 827
31 N. Pinal Street, Bldg A, 2nd Floor
Florence, Arizona 85232

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